

VISA PETITION

IN THE MATTER OF PETITIONER_COMPANY_NAME
L1-A VISA ON BEHALF OF BENEFICIARY_NAME_FIRST BENEFICIARY_NAME_LAST

VELIE LAW FIRM, PLLC, 401 WEST MAIN STREET, SUITE 300, NORMAN, OK 73069

DATE

United States Department of Homeland Security
United States Citizenship and Immigration Service
Service Center
Address
City, ST zip

Drop in company
logo here

RE: I-129 (L-11 Visa_Type) Visa Petition For Intra-Company
Transferee in the Executive Position of (L-12 posi-
tion_title.)

Petitioner: (L-13 petitioner_company_name)

Beneficiary: L-4 beneficiary_first_name L-5 beneficiary_last_name, a
citizen and national of L-8 beneficiary_citizenship_country.

Date

Dear USCIS Examiner:

Pursuant to Section 101 (a)(15)(L) of the Immigration and Nationality Act of 1952, 8 USC § 1101 (a)(15)(L), 137 Cong. Rec. part 2 S18247 (Nov. 16, 1991), 8 CFR § 214.2 (l), 22 CFR § 41.54, please find the following enclosed requisite forms and documents submitted herewith, in duplicate, on behalf of our client, petitioner_company_name on behalf of beneficiary_first_name beneficiary_last_name, a Citizen and National of beneficiary_citizenship_country. The Beneficiary is in the executive position of position_title of L_Int_Company and is seeking an Visa_Type to hold the position of L_Beneficiary's_US_Postion in the US for Petitioner_company_name.

The submitted petition is supported by substantial evidence contained in an enclosed evidence book. Each piece of evidence is numerically labeled "Exhibit 1-". Included is evidence attesting to qualifications of the Petitioner and the Beneficiary, proving that Petitioner_company_name is a United States company and has the requisite relationship of Companies_Relationship with L_Int_Company and that beneficiary_first_name beneficiary_last_name held his executive position for more than one year in the last three years, satisfying the criteria defining him as an Intra-Company Transferee as defined by the criteria of INA § 101 (a) (15)(L), and 8 CFR§ 214.2(l).

Enclosed please find the following forms and documents to support positive adjudication of this petition:

- Attorneys checks for I-129 \$0.00, \$0.00 attached to Form G-28 Notice of Appearance for L-petitioner_company_name).
- Form I-129 Petition for Nonimmigrant Worker
- Form I-129 L Classification Supplement
- Copy of beneficiary_first_name beneficiary_last_name Passport
- Brief and Document checklist detailing legal authorities supporting approval of this Petition.

EVIDENCE

L-13 petitioner_company_name) Documents

- Exhibit Articles of Organization or Articles of Incorporation of petitioner_company_name.
 - Exhibit Operating Agreement or By-Laws US holding company of petitioner_company_name);
- Exhibit Federal Identification Number (FEIN);
- Exhibit Dunn and Bradstreet certification and number US holding company of petitioner_company_name);
- Exhibit Business Licenses, Occupancy permits, insurance policy for facility or equipment;
- Exhibit List of Owners of petitioner_company_name and what percentage they own;
- Exhibit Stock certificates or proof of ownership;
- Exhibit Board Meeting Minutes regarding formation of petitioner_company_name;
- Exhibit Letter from Accountant or other financial person for petitioner_company_name indicating the relationship between the US Company and Foreign Company, any other entity and shareholders, the amount of monies invested and by whom,
- verification of the Profit and Loss numbers and Balance Sheet numbers and the ability of the Company to pay the salary of the Employee;
- Exhibit Signed and dated Lease or Deed of petitioner_company_name facility;
- Exhibit If leased, Letter from owner of building on letterhead with telephone number, indicating confirming the petitioner_company_name is occupying the space verify-
- ing total square footage of the premises and total number of work stations/ people that the space will accommodate;
- Exhibit Floor plan of petitioner_company_name;
- Exhibit petitioner_company_name. Bank Statements for last 12 months;
- Exhibit petitioner_company_name. taxes for last three years or inception if less than three years;
- Exhibit Profit and Loss Statement since start of the year;
- Exhibit petitioner_company_name. Annual Report;
- Exhibit Client invoices sampling;

Exhibit	Vendor invoices sampling;
Exhibit	Marketing materials;
Exhibit	petitioner_company_name website;
Exhibit	Photographs of petitioner_company_name including employees and logos, em- blems or signs;
Exhibit	Addresses, direction and telephone numbers for each facility;
Exhibit	petitioner_company_name . Organizational Chart;
Exhibit	List of petitioner_company_name employees by name, title, duties with wage or salary paid to each;
Exhibit	Payroll Records for petitioner_company_name for past 12 months;
Exhibit	Business Plan with five year financial projections.

L_Int_Company Documents

Exhibit	Certificate of Incorporation or other organizational certificate for Foreign Company that directly employed Employee and all Holding Company or other entity above it;
Exhibit	Dunn and Bradstreet certification number;
Exhibit	Relevant Business Licenses for L_Int_Company ;
Exhibit	Exhibit Corporate minutes referring to establishment of branch company;
Exhibit	L_Int_Company Organizational Chart;
Exhibit	L_Int_Company Taxes for last three years;
Exhibit	Profit and Loss Statement and Balance Sheet for last three years;
Exhibit	L_Int_Company website;
Exhibit	Marketing Materials;
Exhibit	Photographs of L_Int_Company including employees and logos, emblems or signs;
Exhibit	L_Int_Company vendor invoices (sampling of ten);
Exhibit	L_Int_Company client invoices (sampling of ten);
Exhibit	L_Int_Company Bank Statements for last twelve months;
Exhibit	L_Int_Company payroll records for last twelve months;
Exhibit	Lease or Deed for business premises;
Exhibit	Address and telephone numbers for each facility;
Exhibit	Chart of Businesses indicating the relationship between the Foreign Company Name , the petitioner_company_name Holding Companies or other entities with significant interest therein;
Exhibit	Stock certificates and other indicators of ownership of the Foreign Company Name that employed Employee and any other entity that held a significant interest in it;
Exhibit	Organizational Chart of L_Int_Company ;

Beneficiary

- Exhibit Letter from **L_Int_Company** detailing the position of **L_Beneficiary's_IC_Position**, the duties of the position and the term of the position;
- Exhibit Letter from **petitioner_company_name**. detailing the position of **L_Beneficiary's_US_Position** in the US, the duties, the salary and the term of the stint with the **petitioner_company_name**;
- Exhibit Payroll records from **L_Int_Company** for past 12 months;
- Exhibit Personal Tax Returns for last three years;
- Exhibit Governmental tax form indicating employment with **L_Int_Company** for one full year within last three years;
- Exhibit Employment contract between **L-13 petitioner_company_name)** . and **Employee**;
- Exhibit Employment contract between **L_Int_Company** and **Employee**.

CRITERIA

L Visas. 101 § (a)(15)(L), 8 USC § 1101 (a)(15)(L), 8 CFR § 214.2 (l), 22 CFR § 41.54.

Issuance of an L-1 A Visa, Intra-Company Transferee, relevant to this petition, requires:

*Pursuant to **INA §101 (a)(15)(L), 8 CFR § 214.2 (l)(1)(i) –***

- a) an alien who within three years preceding the subject petition has been employed abroad for one continuous year by a qualifying organization *(see definition of qualifying organization supra);*
- b) may be admitted temporarily to the United States, **OI § 214.2 (l)(5)(ii)(B)***
- c) to be employed by a parent, branch, affiliate or subsidiary of the qualifying organization*
- d) to continue work in a full-time capacity that is managerial, **executive** or involves specialized knowledge by beneficiary for a parent, branch, subsidiary of the United States employer to continue work in a executive or executive capacity. **I.A. 90 § 206(a).***

(a) QUALIFYING ORGANIZATION

*Qualifying Organization means a United States or foreign firm, corporation, or other legal entity which: **8 CFR § 214.2 (l)(1)(ii)(G)***

(a)(1) Meets exactly one of the qualifying relationships specified in the definitions of a parent, branch, affiliate, or subsidiary specified in paragraph (l)(1)(ii) of this section;

(a)(2) Is or will be doing business as an employer in the United States and in at least one other country directly or through a parent, branch, affiliate, or subsidiary for the duration of the alien's stay in the United States as an intra-company transferee; and

Otherwise meets the requirements of Section 101 (a)(15)(L) of the Act.

*(a)(3) Parent means a firm, corporation, or other legal entity which has subsidiaries. **8 CFR § 214.2 (l)(1)(ii)(I).** -*

*(a)(4) - Subsidiary means a firm, corporation, or other legal entity of which a parent owns, directly, more than half of the entity and controls the entity **8 CFR § 214.2 (l)(1)(ii)(k).***

(b) EXECUTIVE CAPACITY

The term “executive capacity” means an assignment within an organization in which the employee primarily—

- (1) Directs the management of the organization or a major component or function of the organization;*
- (2) Establishes the goals and policies of the organization, component, or function;*
- (3) Exercises wide latitude in discretionary decision-making; and*
- (4) Receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the organization.. **8 CFR § 214.2 (l)(1)(ii)(C).***

BENEFICIARY

beneficiary_first_name beneficiary_last_name, is a citizen and national of beneficiary_citizenship_country.

L-4 beneficiary_first_name beneficiary_last_name, worked as L_Beneficiary's_IC_Position at L_Int_Company's L_Beneficiary's_work_venue_IC location since L_Beneficiary's_Start_Date_IC.

beneficiary_title beneficiary_name_last handled the following duties for L_Int_Company:

L_Category_Duty_IC_1
L_Category_Duty_IC_2
L_Category_Duty_IC_3

beneficiary_title beneficiary_name_last will conduct the following duties for Petitioner_company_name:

L_Category_Duty_USC_1
L_Category_Duty_USC_2
L_Category_Duty_USC_3.

beneficiary_title beneficiary_name_last term of employment is L_Beneficiary's_term_employment, with a salary of L_Beneficiary's_Salary

Insert photo of Employee here

Company logo or picture of facility

PETITIONER COMPANIES

L_Int_Company is L_Describe_Intl_Company. L_Int_Company was established in L_Place_Incorp_IC on L_IC_Date_Incorp. L_Int_Company is owned by L_IC_Ownership. It currently has L_IC_Employees and generated L_IC_Revenues. L_Int_Company has L_IC_Assets in assets.

Drop in Photograph of Company facilities here

Petitioner_company_name is L_Describe_US_Company.
Petitioner_company_name was established in
L_State_Incorp_USC on L_Date_Incorp_USC). S2
Petitioner_company_name is owned by (S6)L_USC_Ownership.
It currently has L_USC_Employees and generated
L_USC_Revenues in revenues. Petitioner_company_name has
(S9)L_USC_Assetts in assets.

The Companies have the requisite Companies_Relationship
relationship under Immigration regulations.

INDUSTRY

Target_Market

Industry pic

Statistical graph or other eye
grabbing icon

LEGAL DISCUSSION AND RECITATION OF AUTHORITIES

Employment Abroad for continuous period of one year

beneficiary_first_name beneficiary_last_name meets the criteria of the regulation to the right for the following reasons. **beneficiary_title beneficiary_last_name** has been employed by **L_Int_Company** as **L_Beneficiary's_IC_Postion** for more than one year within the last three years.

This meets the criteria of paragraph *a) as an alien who within the three years preceding the subject petition has been employed abroad for one continuous year by a qualifying organization.*

Qualifying Organization and Relationship of the overseas and U.S. company

L_Int_Company meets the criteria of a qualifying organization with a relationship to the U.S. company pursuant to the regulations.

L_Int_Company has the following ownership:

L_IC_Ownership

petitioner_company_name has the following ownership:

L_USC_Ownership

Therefor the companies have a **Companies_Relationship** relationship.

L_Int_Company was founded in **L_IC_Date_Incorp.** The **petitioner_company_name** was established in **L_Place_Incorp_IC** in **L_IC_Date_Incorp.**

The Exhibits attached meet the regulation which state, “Meets exactly one of the qualifying relationships specified in the definitions of a parent, branch affiliate, or subsidiary for the duration of the alien’s stay in the United States as an intra-company transferee.”

The following exhibits establish the qualifying relationship as discussed above:

- Exhibit Articles of Organization or Articles of Incorporation
 petitioner_company_name of **petitioner_company_name** and any other entity above it;
- Exhibit Certificate of Incorporation or other organizational certificate for **L_Int_Company** that directly
 employed **beneficiary_first_name beneficiary_last_name**;
- Exhibit **Operating Agreement or By-Laws** of **L_USC_Ownership**
 of **petitioner_company_name** and any **L_USC_Ownership**;
- Exhibit Dunn and Bradstreet certification and number **L_USC_Ownership** and any **L_USC_Ownership**
 with a major interest in it;
- Exhibit Dunn and Bradstreet certification and number of **L_Int_Company** and any

LEGAL DISCUSSION AND RECITATION OF AUTHORITIES

L-Holding_Copmpany_Description

- Exhibit List of Owners of **petitioner_company_name** and what percentage they own,
- Exhibit Stock certificates or proof of ownership;
- Exhibit Board Meeting Minutes regarding formation of **petitioner_company_name**;
- Exhibit Letter from Accountant or other financial person for **petitioner_company_name**;
- Exhibit Letter from Accountant or other financial person for **L_Int_Company**

Evidence that **petitioner_company_name** is or will be doing business in the U.S

- Exhibit Signed and dated Lease or Deed of **petitioner_company_name's** facility
- Exhibit If leased, Letter from owner of building on letterhead with telephone number, indicating confirming **petitioner_company_name** is occupying the space verifying total square footage of the premises and total number of work stations/ people that the space will accommodate.
- Exhibit Floor plan of Petitioner_company_name
- Exhibit **petitioner_company_name** Bank Statements for last 12 months
- Exhibit **petitioner_company_name** taxes for last three years or inception if less than three years
- Exhibit Profit and Loss Statement since start of the year
- Exhibit **petitioner_company_name** Annual Report
- Exhibit Client invoices sampling
- Exhibit Business Licenses, Occupancy permits, insurance policy for facility or equipment
- Exhibit Federal Identification Number (FEIN)

The evidence above meets the requirement that **petitioner_company_name** “is or will be doing business as an employer in the United States and in at least one other country directly or through a parent, branch, affiliate, or subsidiary for the duration of the alien’s stay in the United States as an intra-company transferee.”

The Exhibits listed below meet the regulation to the right which states, “Meets exactly one of the qualifying relationships specified in the definitions of a parent, branch affiliate, or subsidiary for the duration of the alien’s stay in the United States as an intra-company transferee.”

The regulation to the right defines parent as a firm, corporation, or other legal entity which has subsidiaries.

The regulation to the right defines subsidiary as a firm, corporation, or other legal entity of which a parent owns, directly, more than half of the entity and controls the entity.

LEGAL DISCUSSION AND RECITATION OF AUTHORITIES

The following exhibits establish the qualifying relationship as discussed above:

L_Int_Company Documents

- Exhibit Relevant Business Licenses for **L_Int_Company**
- Exhibit Letter from **L_Int_Company** Accountant, auditor or appropriate government official.
- Exhibit Corporate minutes referring to establishment of branch company
- Exhibit **L_Int_Company** Business Plan if different from **Petitioner_company_name**, including five year financial projections
- Exhibit **L_Int_Company** Organizational Chart
- Exhibit **L_Int_Company** Audited Financial Reports for last three years
- Exhibit **L_Int_Company** Taxes for last three years
- Exhibit Profit and Loss Statement and Balance Sheet for last three years
- Exhibit **L_Int_Company** website
- Exhibit Marketing Materials
- Exhibit Photographs of **L_Int_Company** including employees and logos, emblems or signs.
- Exhibit **L_Int_Company** vendor invoices sampling of ten
- Exhibit **L_Int_Company** client invoices sampling of ten
- Exhibit **L_Int_Company** Bank Statements for last twelve months
- Exhibit **L_Int_Company** payroll records for last twelve months
- Exhibit Lease or Deed for business premises
- Exhibit Address and telephone numbers for each facility
- Exhibit Chart of Businesses indicating the relationship between the **L_Int_Company**, the **Petitioner_company_name**, **L-Holding_Copmpany_Description** or other entities with significant interest therein.
- Exhibit Stock certificates and other indicators of ownership of the **L_Int_Company** that employed Employee and any other entity that held a significant interest in it.
- Exhibit 35 Organizational Chart of Foreign Company

beneficiary_first_name beneficiary_last_name Executive/Managerial Capacity

- Exhibit 4** Employer Support Letter from **Petitioner_company_name**
- Exhibit 5** Expert Letter from Certified Accountant from **petitioner_company_name**
- Exhibit 6** Employment (service) contract
- Exhibit 17** Previous employment letter from **L_Int_Company**
- Exhibit 18** Expert Letter from Certified Accountant from **L_Int_Company**
- Exhibit 22** **Organizational Chart**
- Exhibit 42** Pay records indicating employment with **L_Int_Company**
- Exhibit 43** Personal Tax Returns;
- Exhibit 44** Payroll records indicating employment with **L_Int_Company**

LEGAL DISCUSSION AND RECITATION OF AUTHORITIES

Exhibit 45 Press articles

beneficiary_first_name beneficiary_last_name's meets of the criteria permitting entry temporarily to the United States to be employed by **Petitioner_company_name**., the **Companies_Relationship** of **L_Int_Company**., a qualifying organization, to continue work in a full time capacity. The position must be executive, managerial or involve specialized knowledge by beneficiary for a parent, branch, subsidiary of the United States employer to continue work in a executive capacity under the regulation to the right.

(Select one of the following:)

Pursuant to the regulations, the term “executive capacity” means an assignment within an organization in which the employee primarily—

- (1) Directs the management of the organization or a major component or function of the organization;
- (2) Establishes the goals and policies of the organization, component, or function;
- (3) Exercises wide latitude in discretionary decision-making; and
- (4) Receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the organization.

The term “managerial capacity” means an assignment with the organization in which the employee personally:

- (1) Manages the organization, department, subdivision, function or component;
- (2) Supervises and controls the work of other supervisory, professional or managerial employees or manages an essential function within the organization or subdivision of the organization;
- (3) Has the authority to hire and fire or recommend personnel actions (if another directly supervises employees), or if no direct supervision, functions at a senior level, and
- (4) Exercises discretion over day-to-day operations of the activity or function.

Exhibit is the Employment Letter from **petitioner_primary_contact** which states as follows:

Exhibit meets the criteria to the right as it clearly establishes **beneficiary_first_name beneficiary_last_name** 's employment as **L_Beneficiary's_US_Position** is a qualifying position by meeting the following criteria the criteria above:

Exhibit is the employment agreement between **petitioner_company_name** and **beneficiary_title beneficiary_name_last** which also meets the criteria discussed above.

LEGAL DISCUSSION AND RECITATION OF AUTHORITIES

CONCLUSION

Based upon the evidence submitted by **petitioner_company_name**, the **Companies_Relationship** of **L_Int_Company**, a company organized under the laws of **L_State_Incorp_USC** that qualifies as a multinational organization seeks an L-1A visa for **beneficiary_name_first beneficiary_name_last**, who meets the criteria of a **multinational executive or manager**. **beneficiary_title beneficiary_name_last** worked for more than one continuous year abroad before seeking transference to **petitioner_company_name** pursuant to the L-1A category. **beneficiary_title beneficiary_name_last's** transfer to the United States company is for full time employment in a **executive/mangrial** capacity. Pursuant to the governing regulations for the L-1 intra-company transferee, **petitioner_company_name** requests that an L-1A visa be issued for **beneficiary_title beneficiary_name_last**.

Respectfully Submitted,

Jon Velie
Attorney for Petitioner

LEGAL DISCUSSION AND RECITATION OF AUTHORITIES
