



Kate Kalmykov

Of Counsel

Business Immigration & Compliance

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Kate Kalmykov focuses her practice on business immigration and compliance. She represents clients in a wide-range of employment based immigrant and non-immigrant visa matters including students, trainees, professionals, managers and executives, artists and entertainers, treaty investors and traders, persons of extraordinary ability and immigrant investors.

Kate has extensive experience working on EB-5 immigrant investor matters. She regularly works with developers across a variety of industries, as well as private equity funds on developing new projects that qualify for EB-5 investments. This includes creation of new Regional Centers, having projects adopted by existing Regional Centers or through pooled individual EB-5 petitions. For existing Regional Centers, Kate regularly helps to prepare amendment filings, file exemplar petitions, address removal of conditions issues and ensure that they develop an internal program for ongoing compliance with applicable immigration regulations and guidance. She also counsels foreign nationals on obtaining greencards through either individual or Regional Center EB-5 investments, as well as issues related to I-829 Removal of Conditions.

Moreover, Kate also works with various human resources departments on I-9 employment verification matters as well as H-1B and LCA compliance. She regularly counsels employers on due diligence issues including internal audits and reviews, as well as minimization of exposure and liabilities in government investigations.

Professional and Community Involvement

- Member, American Bar Association
 - Chair, Immigration Committee, Section of Administrative Law 2011-2013
 - Vice-chair, Immigration and Naturalization Sub-Committee, Section of International Law, 2010-2012
 - Programs chair, Immigration Litigation Committee, Section of Litigation, 2010-2012
- Member, American Immigration Lawyers Association
 - Member, Annual Conference Planning Committee, 2010-2012
 - Member, Distance Learning Committee, 2011-2012
- Member, American Immigration Lawyers Association, New Jersey chapter
 - Member, New Jersey Customs and Border Protection (CBP) Liaison Committee, 2012-2013

- Member, American Immigration Lawyers Association, New York chapter
 - Member, New York United States Citizenship and Immigration Services (USCIS), District Director Liaison Committee, 2012-2013
 - Chair, Continuing Legal Education Committee, 2009-2011
 - Secretary, New York United States Citizenship and Immigration Services (USCIS), District Director Liaison Committee, 2009-2011
 - Member, Corporate Practice Committee, 2008-2012
 - Member, American Immigration Lawyers Association, Washington D.C. chapter
 - Chair of the Year, Education Committee, Conference Committee, 2007-2008
 - Member, New York Bar Association
 - Member, New Jersey Bar Association
 - Member, Membership Committee, International Medical Graduate Taskforce
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Awards and Recognition

- Listed, *New Jersey Law Journal*, "New Leaders of the Bar," 2012
 - Listed, *Super Lawyers* magazine, *New York Super Lawyers*, "Rising Star," 2012
 - Outstanding Subcommittee Chair, American Bar Association, Litigation Section, Immigration Litigation Committee, 2010-2011
 - Education Committee Co-Chair of the Year/Conference Committee Co-Chair, American Immigration Lawyers Association (AILA), Washington D.C. chapter, 2007
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Articles, Publications & Lectures

Articles

- Author, "EB-5 Regional Centers Will Need to Wait a Little Longer for Loosening of Restrictions on Advertising," *The National Law Review*, July 18, 2012
- Mentioned, "Lure of Immigrant Investors Piquing Interest of New York City Developers," *Real Estate Weekly*, June 13, 2012
- Author, "How Many EB-5 Visas are There?" *The National Law Review*, June 12, 2012
- Mentioned, "EB-5 Financing a Hot Topic at Sellout NAIOP-NYC Breakfast Seminar," *City Biz Real Estate*, June 11, 2012
- Co-author, "EB-5 Overview: Tips for Preparing a Successful Case," Immigration Practice Pointers, 2012-13 Ed., AILA Publications, pg. 328-332
- Author, "Due Diligence Questions to Ask When Seeking to Have Your Project Adopted by an Existing Regional Center," *The National Law Review*, January 23, 2012
- Co-author, "Immigration Announces Plans to Crackdown on Employers: Will Your Company Be the Next Target?" www.ValleyPallet.com, April 25, 2011
- Author, "Foreign Investment: A Path to Permanent Residence Through Job Creation," *American Immigration Lawyers Association: VOICE*, March/April 2011

- Author, "USCIS Issues New I-9 Guidance: What's All the Fuss About?" *The Legal Intelligencer*, March 2011
- Quoted, "NW Ohio Seeks Hub for Foreign Investors Seeking Citizenship," *Toledo Free Press*, December 16, 2011
- Interviewee, "A source of correct information, best practices and issues of concern on the EB-5 visa Immigrant Investor Program from professional practitioners not filtered through the Chinese agent / broker market," Chinese television, December 2010
- Featured, "Attorneys Contribute Many New EB-5 Visa Articles to EB5info.com," *EB-5 Visa News*, August 2010
- Author, "U.S. Immigration Services Revamps E-Verify with Mixed Results," *The Legal Intelligencer*, June 2010
- Author, "Immigration Obligations in Times of Economic Downturn: Consequences of Workforce Changes Involving Foreign Nationals," *Business Law Today*, January/ February 2010
- Co-author, "Immigration and Naturalization," American Bar Association, *Developments in Administrative Law and Regulatory Practice*, 2010
- Co-author, "Immigration Compliance Vital to Avoid Fines, Criminal Sanctions," *Nation's Restaurant News*, December 2009
- Author, "Employers Prepare for Investigations After Internal ICE Memo Became Public," *The Legal Intelligencer*, October 2009
- Author, "An Overview of the Changing Definition of Specialized Knowledge," Volume XI, Issue 1, *Immigration & Naturalization Committee Newsletter*, a publication of the American Bar Association, Section of International Law, Summer 2009
- Co-author, "Immigration and Nationality Law: 2008 Year in Review," *The International Lawyer*, Volume 43 Number 2, a publication of the American Bar Association, Section of International Law, Summer 2009
- Author, "Downsizing and Layoffs: Immigration Strategies for Employers," *The Legal Intelligencer*, March 2009
- Author, "Restrictions on the L-1B Visa and what this Means for Employers and the Economy," *The Legal Intelligencer*, October 2008
- Co-author, "Operators, Be Prepared for New Immigration Regulations: Don't Let Your Business Be Caught Off Guard As Government Officials Crack Down With 'No-Match' Letters," *Nation's Restaurant News*, September 2007
- Co-author, "'No Match' Regulation Will Have Monumental Impact," *Employment Law360*, August 2007
- Contributor, "Immigration Compliance: Are You Next?" *Builder/Architect Magazine*, March 2007

Blogs

- Editor, EB-5 Insights: Where Government Policies and Business Realities Converge

Web Presentations/Videos

- Featured, "US 'EB-5 Visa Program' Attracts Chinese Investors," *youtube.com*, Aug 29, 2012

Lectures

- Speaker, "The EB-5 Summit for Attorneys and Developers," ILW conference, New York, NY, December 14, 2012
- Panelist, "Lion Taming - Visas for Entrepreneurs," 15th Annual AILA New York Chapter Immigration Law Symposium, New York, NY, December 3, 2012
- Speaker, "Government Programs - Credits and Incentives that continue to Fuel Development," National Real Estate Conference, American Institute of CPAs, Las Vegas, NV, November 5, 2012
- Speaker, "EB-5 RC Designation & the Latest Trends in I-924 RFE," The Bottom Line: Capturing EB-5 Capital from China and Korea Workshop, Washington, DC, October 15, 2012
- Speaker, "EB-5 Visas: Investments and New Jobs," GT EB-5 Event on Behalf of the Wharton University of Pennsylvania Club of South Florida, August 27, 2012
- Speaker, "The Nuts and Bolts of EB-5 Offerings," 2012 US-China-India Investment and Business Forum, Chicago, IL, August 23, 2012
- Speaker, Southern California's EB-5 Conference with U.S. Congressman Lamar Smith, Newport Beach, CA, July 30, 2012
- Speaker, "EB-5 for Beginners," America Immigration Lawyers Association Annual Conference, Nashville, TN, June 13, 2012
- Speaker, "EB-5 Financing," NAIOP NYC Breakfast Series, New York, NY, June 6, 2012
- Panelist, "EB-5 101," American Immigration Lawyer's Association, New York, NY, May 22, 2012
- Speaker, "Finding Balance Between the EB-5 Regional Center Program, Foreign Direct Investment and Business Realities," Overseas Funding Conference, New York, NY, May 16-17, 2012
- Speaker, "Practice Tips in Documenting the Successful EB-5 Case," American Immigration Lawyers Association EB-5 Investors & Regional Centers Conference, The Atlantis, Bahamas, April 20, 2012
- Moderator, "Hot Topics in EB-5," Section of Litigation Lunch and Learn Series, American Bar Association, March 14, 2012
- Speaker, "U.S. Project Development Funding Options: Traditional, Non-Traditional, EB-5 and other Foreign Sources of Capital," The EB-5 Workshop, Orlando, FL, March 5, 2012
- Speaker, "Ask the Experts," American Immigration Lawyers Association, New York, NY, February 13, 2012
- Co-presenter, "Rolling the Dice on EB-5: How to Play by the Rules and Stay Ahead of the Game," Breakfast Informational Session, Greenberg Traurig, LLP, Santa Monica, CA, January 24, 2012
- Co-presenter, "Rolling the Dice on EB-5: How to Play by the Rules and Stay Ahead of the Game," Breakfast Informational Session, Greenberg Traurig, LLP, Irvine, CA, January 23, 2012

- Co-presenter, "Rolling the Dice on EB-5: How to Play by the Rules and Stay Ahead of the Game," Breakfast Informational Session, Greenberg Traurig, LLP, Las Vegas, NV, January 19, 2012
- Faculty member, "EB-5 Practice Fundamentals," Web seminar, American Immigration Lawyers Association, New York, NY, January 12, 2012
- Co-presenter, "In the Pursuit of the Elusive Green Card, Is EB-5 *Really* an Option-Yes! (*Maybe*)," 14th Annual AILA New York Chapter Immigration Law Symposium, New York, NY, December 1, 2011
- Speaker, "Legal Considerations for International Students Including the OPT/H1-B/and Permanent Residency in the US," Columbia University Center for Career Education, New York, NY, November 30, 2011
- Speaker, "Recent Developments in Employment Based Immigration Adjudication," Administrative Law Conference, Georgetown University, November 17-18, 2011
- Speaker, 2011 Fall EB-5 CLE Conference, San Antonio, TX, October 20-21, 2011
- Speaker, "EB-5 Investors & Regional Centers-Navigating Through New Challenges and Building a Sound Practice," American Immigration Lawyers Association, October 2011
- Co-presenter, "Immigration and Naturalization," Developments in Administrative Law and Regulatory Practice 2010, American Bar Association, July 2011
- Organizer and Moderator, "Avoiding Securities Pitfalls When Advising EB-5 Clients," ABA Section of Litigation, Immigration Litigation Committee, Lunch and Learn Teleconference, May 2011
- Speaker, "Immigration Options for Students After Graduation," Rutgers University, March 2011
- Speaker, "Immigration Options for Students After Graduation," New York University, March 2011
- Speaker, "EB-5 Investors & Regional Centers Conference: Emerging Issues & Winning Strategies For Your Clients and Your Practice," American Immigration Lawyers Association, March 2011
- Speaker, "Immigration Opportunities for Clinicians and Post Doctoral Researchers," Columbia College of Physicians and Surgeons, February 2011
- Speaker, "It's the Economy Stupid! Poor Return on Investment- E-1s, E-2s, EB-5s and the Economy," American Immigration Lawyers Association, Midyear CLE Conference, January 2011
- Speaker, "Immigration Options for Students After Graduation," Columbia University, January 2011
- Interviewee, "EB-5 Immigrant Investor Program," China Stock TV, a division of the FuDong Cultural Dissemination Company, LTD, November 2010
- Speaker, "The Impact of Immigration Law: What Every Lawyer Should Know," American Bar Association, Administrative Law Conference, November 2010
- Speaker, "Investing in America- Making EB-5 Work for Your Clients and Your Practice" and "Preparing the EB-5 Case- Practice Tips and Documentation," American Immigration Lawyers Association, August 2010

- Speaker, “Introduction to U.S. Immigration for the International Business Person,” Columbia Business School, June 2010
- Speaker, “Immigration Options for Clinicians and Post Doctoral Researchers,” University of Medicine and Dentistry of New Jersey, March 2010
- Speaker, “The World of Immigration: Options for Entertainers,” The American Academy of Dramatic Arts, March 2010
- Speaker, “Employer Compliance and Worksite Enforcement,” American Immigration Lawyers Association, New York Chapter, March 2010
- Speaker, “Navigating Immigration and Visa Issues: A Primer for Postdocs and Young Scientists,” The New York Academy of Sciences in conjunction with Science Alliance, March 2010
- Speaker, “Immigration Options After Graduation,” Columbia University, March 2010
- Speaker, “Immigration Opportunities for Clinicians and Post Doctoral Researchers,” Columbia University Medical Center, February 2010
- Speaker, “Immigration Considerations for a Post-Yale World,” Yale University, November 2009
- Speaker, “Post-Student Years: Immigration Options,” Fairleigh Dickinson University, November 2009
- Speaker, “Visa and Permanent Residence Options for the Entrepreneurial Student,” Yale University, School of Management, November 2009
- Speaker, “AVOID GETTING ICE'D: What In-House Counsel and Companies Need to Know about Immigration, I-9s & E-Verify,” American Bar Association, 2009 Section of Litigation Annual Conference, April 2009
- Speaker, “The Impact of the Recession on the Foreign National Community,” Columbia University Business School, April 2009
- Speaker, “Alliance Online: U.S. Visas and Immigration,” New York Academy of Sciences, April 2009
- Speaker, “Post OPT: Immigration Options for Foreign Students,” Columbia University, April 2009
- Speaker, “Post OPT: Immigration Options for Foreign Students,” Fairleigh Dickinson University, November 2008
- Speaker, “Post Student Years: Immigration Options,” Columbia University, November 2008
- Speaker, “Immigration Options for Foreign Students,” New York University, October 2008

Education

J.D., American University Washington College of Law, 2005

M.A., International Affairs, American University, 2005

B.A., *magna cum laude*, International Studies, American University, 2002

Admitted to Practice

- New York
- New Jersey
- U.S. District Court for the District of New Jersey

Languages

- Russian, Fluent