

**WKG&J****WORMSER KIELY GALEF & JACOBS LLP**

IMMIGRATION HIGHLIGHTS - MARCH 2011



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H-1B Cap Update

Employers who have new graduates or other new hires starting work during the remainder of 2011 who will need H-1B status should contact us now to start the H-1B process. H-1B petitions for new hires, including those persons who will have F-1 student Optional Practical Training (OPT) employment authorization, can be filed beginning on April 1st (for a start date of October 1, 2011, the first day of the new fiscal year). It is difficult to predict how long the H-1B visas will remain available this year, so we encourage employers interested in sponsoring foreign workers for H-1B visa status to contact our office as soon as possible to discuss the application process.

As a reminder, the annual quota does not apply to individuals currently working in H-1B status in the U.S. who need to extend their stay or change employers, or to individuals seeking employment with institutions of higher education, nonprofit research organizations, government research organizations and certain related entities.

Beware of Visa Lottery Scams!

We remind clients never to forward money to senders of emails claiming you have won the Diversity Visa (Green Card) Lottery. These emails are fraudulent! The government does not email notifications to lottery entrants, and no organization or private company is authorized to notify applicants of their winning entry or the next steps in the application process. [An easy way to identify fraudulent emails is that the sender's email address does not end with ".gov".]

Applicants will not be notified whether they "win" the lottery. Instead, they must check the status of their entry on the DV lottery website at www.dvlottery.state.gov from May 1, 2011 through June 30, 2012.

For additional details on DV Lottery fraud and how to avoid and report it, please see the State Department's [fraud warning](#) and the [Federal Trade Commission's consumer alert](#).

Spotlight On...

WKGJ's Alcohol Beverage/Hospitality Industry Practice Group

WKGJ's Alcohol Beverage/Hospitality Industry Practice Group represents alcohol

beverage manufacturers, rectifiers, bottlers, importers and wholesale distributors in the areas of licensing, labeling, advertising, product distribution and trade practices. The Group also represents such retail venues as hotels, restaurants, and sports and recreation venues, and private investment funds which invest in such assets. We regularly appear before the Alcohol and Tobacco Tax & Trade Bureau of the United States Department of the Treasury and the various state alcohol beverage authorities in connection with all aspects of our clients' business.

Mike Kelly, Co-Chair of WKGJ's Alcohol Beverage/Hospitality Industry Practice Group, recently retired as Senior Vice President, Secretary and General Counsel of Moet Hennessy USA, Inc. and Schieffelin & Somerset Co. During his tenure as General Counsel, Mike handled all legal matters for the company. Prior to going in-house, Mike represented major wine, distilled spirits and malt beverage producers, importers and wholesale distributors, as well as owners, operators and franchisors of national hotel, restaurant and recreational/entertainment venues in private practice with the law firm of Schreiber Tunick and MacKnight.

You can contact Mike at 212-687-4900 ext. 640 or mkelly@wkgj.com.

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WKGJ's Immigration Practice Group

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