

Date: 2013-12-04 09:34:19 -0500
To: Bill Stenger <bstenger@jaypeakresort.com>, "Raymond, Brent" <Brent.Raymond@state.vt.us>
Subject: RE: Please help
CC: 'Alex MacLean' <amaclean@jaypeakresort.com>, "Virkstis, Matthew (Judiciary)" <Matthew_Virkstis@Judiciary-dem.senate.gov>
From: "Sussman, Susan (Leahy)" <Susan_Sussman@leahy.senate.gov>

Hi Bill,

Brent has brought this problem to my attention as well. I have spoken with my liaison at the Department of State who assures me that there is no bias against EB-5 investors from Vietnam. The one person I am aware of who was denied a B1/B2 visitor visa to come see one of your projects prior to investing had some significant inconsistencies during her interview which caused her visa application to be denied. Have there been other denials as well?

There is a big difference between being considered for a nonimmigrant visitor visa and an immigrant EB-5 visa. Considerations for the nonimmigrant visa hinge on whether the applicant can overcome their burden of proving that they do not intend to emigrate to the U.S. Since they are indicating an "immigrant intent" by their interest in an EB-5 visa, I wonder if this may be causing some of their problems. I have a call in to the Department of State to discuss this further and I will get back to you.

Best regards,

Susan

From: Bill Stenger [mailto:bstenger@jaypeakresort.com]
Sent: Wednesday, December 04, 2013 9:11 AM
To: 'Raymond, Brent'; Sussman, Susan (Leahy)
Cc: 'Alex MacLean'
Subject: RE: Please help

Susan, any help you can give is appreciated. As you might recall Governor Shumlin and Lawrence Miller and myself visited Vietnam and had a great trip with much interest in our projects. Now that investors are trying to visit us and see the state and our facility they get blocked. We enthusiastically invited them to come and see Vermont before investing and now some are taking us up on our invitation only to be blocked by our own officials. We have photos of our presentations there with the Governor. Would it be helpful to have interviewee's bring a photo of our appearance in Vietnam to the interview? Trying to make future issues less problematic. Susan, thanks so much for your help, Bill

From: Raymond, Brent [mailto:Brent.Raymond@state.vt.us]
Sent: Wednesday, December 04, 2013 8:09 AM
To: Susan Sussman
Cc: Bill Stenger
Subject: Fwd: Please help

Hi Susan,

Happy holidays!

Below are the responses of the 2nd Vietnamese EB-5 investor whose visa was denied. Do you have any advice about what I may do?

Would my writing a letter to the HCMC Consulate to make them aware of our projects be helpful?

Best,

Brent

Brent Raymond | Executive Director of International Trade & Foreign Investment

Vermont EB-5 Regional Ctr

DIGGERPRA-ACCD0252

Vermont Global Trade Partnership

1 National Life Dr, Davis Bldg, 6th Floor | Montpelier, VT 05620-0501

802-522-2540

eb5.vermont.gov

export.vermont.gov

Sent from my iPhone

Begin forwarded message:

From: Bill Stenger <bstenger@jaypeakresort.com>
Date: December 4, 2013 at 8:01:52 AM EST
To: 'Tina Harwood' <tinaharwood@harwoodlawoffice.com>, <brent.raymond@state.vt.us>
Cc: <huan68@gmail.com>
Subject: RE: Please help

Brent, do you want to reach out to Susan Sussman or do you want me to? Bill

From: Tina Harwood [<mailto:tinaharwood@harwoodlawoffice.com>]
Sent: Wednesday, December 04, 2013 2:34 AM
To: brent.raymond@state.vt.us; Bill Stenger
Cc: huan68@gmail.com
Subject: Please help

Dear Brent,

How are you? as I mentioned to you few weeks ago, there was one more investor who failed in the interview early in November. His Name is Nhuan Vu.

The interview was on November 8th in Ho Chi Minh City.

The following questions from consul to Nhuan Vu:

1. Where are you plan to go in US?

Answer: Jay Peak Resort.

2. What is your purpose of the visit?

Answer: To find out about a project to invest in

3. Why did you choose Jay Peak Project?

Answer: There were many projects in hotels and vacation resorts, etc, but as of now, Jay Peak Resort has the joint venture with a Korean company in Bio tech to produce the medical devices and stem cell research. My company is also a pharmaceutical company; therefore, I am interested to learn more by visiting the site.

4. What degree do you have?

Answer: I had the specialist degree

5. What are you doing right now?

Answer: I am a Vice President in a Pharmaceutical company

6. Are you sure that you are going to invest into this project?

Answer: yes.

After a few minutes, they answered to me that I am not qualified to get the visa. And I forgot to mention that this project is an EB5 project.

Brent, that's all of what I got from the email below from investor.

I hope that you can escalate to the Senator's office to help.

We are working with investors to get funds to wire to ANC BiO project and are planning to submit I-526 package soon. Hope you can help to clear this issue soon. in addition, it is also very helpful for other future investors to have the letter from the Senator's office to notify to consulate office in Ho Chi Minh City that Vermont Regional Center is currently managing the Active EB5 project- Jay Peak Biomedical Research LP. It seems to me that the Consulate in HCM city was not aware of the EB5 status of the Jay Peak Project.

Thank you for your support!

Sincerely,

Tina Le Harwood.

Tina Harwood

Cell: (408) 307-1663

Begin forwarded message:

From: Nhuan Vu <yqn1990@gmail.com>
Date: December 2, 2013, 11:51:49 PM PST
To: Tina Harwood <tinaharwood@harwoodlawoffice.com>
Subject: Re: Thu can thiep

Dear Co Tina,

Cám ơn cô con khỏe, hôm do ben lanh su ng ta hỏi con là:

1. Con sang mỹ đi đến những đâu?

Con trả lời là đi đến Jaypeak resort

2. Con đến đó với mục đích gì?

Con nói là để khảo sát dự án để đầu tư.

3. Tại sao lại chọn Jay Peak?

Con trả lời là vì ở đó có nhiều dự án đã thành công như khu resort, du lịch nghỉ dưỡng, v.v. và hiện nay họ đang có dự án liên doanh với hàn quốc, về sản xuất thiết bị y tế, nội tạng nhân tạo, nghiên cứu tế bào gốc, mà công ty con là công ty được nên có quan tâm đến dự án này.

4. Con có bằng cấp gì không?

Con trả lời là con học trung cấp chuyên nghiệp

5. Con đang làm việc gì?

Con nói con đang làm phó giám đốc công ty được

6. Con có chắc chắn sẽ đầu tư dự án này không?

Con trả lời là có

Họ không yêu cầu xem hồ sơ gì của con hết và họ thông báo con không đủ điều kiện để cấp visa, con cũng quên k nói đây là dự án EB5.

Ngày Dec 1, 2013, vào lúc 10:38 PM, Tina Harwood <tinaharwood@harwoodlawoffice.com> viết:

Hello Nhuan,

Nhuan có khỏe không? Có có nghe thông báo kết quả phỏng vấn của Nhuan từ chú An, cô đã nói chuyện với Ben VP của Thông Đốc và họ nói là cần Nhuan gửi email lại cho họ biết nhưng Câu hỏi từ Lãnh Sự và Câu trả lời của Nhuan.

Sau đó cô sẽ dịch sang tiếng Anh và gửi cho họ cần thiệp dùm Nhuan.

Chào Nhuan,

Tina Harwood

Cell: (408) 307-1663