



**U.S. Citizenship  
and Immigration  
Services**

June 23, 2009

Patrick Hogan  
President and Chief Executive Officer  
C/O CMB Summit LLC  
4507 49<sup>th</sup> Avenue  
Moline, Illinois 61265

File No. W09000170

Application: Request for Designation as a Regional Center  
Applicant(s): Patrick Hogan

Re: CMB Summit LLC Regional Center

Pursuant to Section 610 of the Appropriations Act of 1993, on January 22, 2009, Patrick Hogan submitted a proposal seeking approval and designation by U.S. Citizenship and Immigration Services (USCIS) of the CMB Summit LLC Regional Center.

Based on its review and analysis of your proposal, and of your response to the USCIS Request For Evidence, USCIS hereby designates CMB Summit LLC Regional Center as a Regional Center within the Immigrant Investor Pilot Program and approves the request as described below:

**GEOGRAPHIC AREA:**

The CMB Summit LLC Regional Center shall have a geographic scope which includes the county of Summit, Ohio.

**FOCUS OF INVESTMENT ACTIVITY:**

As depicted in the economic model, the general proposal and the economic analysis, the Regional Center will engage in the following economic activities: funding a new Goodyear headquarters facility and develop multi-use businesses and residential communities.

The Regional Center for EB-5 Immigrant purposes shall focus investments into new commercial enterprises in the following 5 target industry economic clusters:

1. Manufacturing

2. Hotel Service
3. Restaurant Service
4. Retail
5. Residential Housing

If any investment opportunities arise that are beyond the scope of the approved industry clusters, then an amendment would be required to add that cluster.

Aliens seeking immigrant visas through the Immigrant Investor Pilot Program may file individual petitions with USCIS for these commercial enterprises located within the approved Regional Center area.

The geographic focus of this area may contain some High Unemployment Targeted Employment Areas (TEAs) as designated by the State of Ohio as defined in 8 CFR 204.6(e). Therefore, the minimum capital investment threshold for any individual immigrant investment into an approved commercial enterprise throughout the Regional Center shall be not less than \$500,000, if the investment target is located within a TEA or \$1,000,000 if it is located outside of a TEA. No debt arrangement will be acceptable unless it is secured by assets owned by the alien entrepreneur. A full capital investment must be made and placed at risk.

#### **EMPLOYMENT CREATION**

Immigrant investors who file petitions for commercial enterprises located in the Regional Center area must fulfill all of the requirements set forth in 8 CFR 204.6, except that the petition need not show that the new commercial enterprises created ten new jobs indirectly as a result of the immigrant investor's investment. This determination has been established by way of USCIS' acceptance of the final economic analysis that is contained as part of the approved Regional Center proposal and its indirect job creation model and multipliers contained within the final approved Regional Center application package. Rather, the investor must show at the time of removal of conditions that they performed the activities described in the model and on which the approved methodology is based.

In addition, where job creation or preservation of existing jobs is claimed based on a multiplier rooted in underlying new "direct jobs", the immigrant investor's individual I-526 petition affiliated with your Regional Center, should include as supporting evidence:

- A comprehensive detailed business plan with supporting financial, marketing and related data and analysis providing a reasonable basis for projecting creation of any new direct jobs for "qualifying employees" to be achieved/realized within two years pursuant to 8 CFR 204.6(j)(4)(B).

An alien investor's I-829 petition to remove the conditions which was based on an I-526 petition approval that involved the creation of new direct jobs or the creation of new indirect jobs based on a multiplier tied to underlying new direct jobs needs to be properly supported by evidence of job creation. To support the full number of direct and indirect new jobs being claimed in connection with removal of conditions, the petition will need to be supported by probative evidence of the number of new direct full time (35 hours per week) jobs for qualified employees whose positions have been created as a result of the alien's investment. Such evidence may include copies of quarterly state employment tax reports, Forms W-2, Forms I-9, and any other pertinent employment records sufficient to demonstrate the number of qualified employees whose jobs were created directly.

**Additional Guidelines for individual Immigrant Investors Visa Petition (I-526)**

Each individual petition, in order to demonstrate that it is associated with the Regional Center, in conjunction with addressing all the requirements for an individual immigrant investor petition, shall also contain as supporting evidence relating to this Regional Center designation, the following:

1. A copy of this letter, the Regional Center approval and designation.
2. A copy of the USCIS approved Regional Center narrative proposal and business plan.
3. A copy of the job creation methodology required in 8 CFR 204.6(j)(4)(iii), as contained in the final Regional Center economic analysis which has been approved by USCIS, which reflects that investment by an individual immigrant investor will create not fewer than ten (10) full-time employment positions, either directly or indirectly, per immigrant investor.
4. A legally executed copy of the USCIS approved:
  - a. Private Placement Memorandum;
  - b. Operating Agreement;
  - c. Subscription Agreement;
  - d. Limited Partnership Agreement and
  - e. Escrow Agreement.

**DESIGNEE'S RESPONSIBILITIES INHERENT IN CONDUCT OF THE REGIONAL CENTER:**

The law, as reflected in the regulations at 8 CFR 204.6(m)(6), requires that an approved Regional Center in order to maintain the validity of its approval and designation must continue to meet the statutory requirements of the Immigrant Investor Pilot Program by serving the purpose of promoting economic growth, including increased export sales (where applicable), improved regional productivity, job creation, and increased domestic capital investment. Therefore, in order for USCIS to determine whether your Regional Center is in compliance with the above cited regulation, and in order to continue to operate as a USCIS approved and designated Regional Center, your administration, oversight, and management of your Regional Center shall be such as to monitor all investment activities under the sponsorship of your Regional Center and to maintain records, data and information on a quarterly basis in order to report to USCIS upon request the following year to date information for each Federal Fiscal Year<sup>1</sup>, commencing with the initial year as follows:

1. Provide the principal authorized official and point of contact of the Regional Center responsible for the normal operation, management and administration of the Regional Center.
2. Be prepared to explain how you are administering the Regional Center and how you will be actively engaged in supporting a due diligence screening of its alien investors' lawful source of capital and the alien investor's ability to fully invest the requisite amount of capital.
3. Be prepared to explain the following:

---

<sup>1</sup> A Federal Fiscal Year runs for twelve consecutive months from October 1<sup>st</sup> to September 30<sup>th</sup>.

- a. How the Regional Center is actively engaged in the evaluation, oversight and follow up on any proposed commercial activities that will be utilized by alien investors.
  - b. How the Regional Center is actively engaged in the ongoing monitoring, evaluation, oversight and follow up on any investor commercial activity affiliated through the Regional Center that will be utilized by alien investors in order to create direct and/or indirect jobs through qualifying EB-5 capital investments into commercial enterprises within the Regional Center.
4. Be prepared to provide:
- a. the name, date of birth, petition receipt number, and alien registration number (if one has been assigned by USCIS) of each principal alien investor who has made an investment and has filed an EB-5/I-526 Petition with USCIS, specifying whether:
    - i. the petition was filed,
    - ii. was approved,
    - iii. denied, or
    - iv. withdrawn by the petitioner, together with the date(s) of such event.
  - b. The total number of visas represented in each case for the principal alien investor identified in 4.a. above, plus his/her dependents (spouse and children) for whom immigrant status is sought or has been granted.
  - c. The country of nationality of each alien investor who has made an investment and filed an EB-5/I-526 petition with USCIS.
  - d. The U.S. city and state of residence (or intended residence) of each alien investor who has made an investment and filed an EB-5/I-526 petition with USCIS.
  - e. For each alien investor listed in item 4.a., above, identify the following:
    - i. the date(s) of investment in the commercial enterprise;
    - ii. the amount(s) of investment in the commercial enterprise; and
    - iii. the date(s), nature, and amount(s) of any payment/remuneration/profit/return on investment made to the alien investor by the commercial enterprise and/or Regional Center from when the investment was initiated to the present.
5. Be prepared to identify/list each of the target industry categories of business activity within the geographic boundaries of your Regional Center that have:
- a. received alien investors' capital, and in what aggregate amounts;
  - b. received non-EB-5 domestic capital that has been combined and invested together, specifying the separate aggregate amounts of the domestic investment capital;
  - c. of the total investor capital (alien and domestic) identified above in 5.a and 5.b, identify and list the following:
    - i. The name and address of each "direct" job creating commercial enterprise.
    - ii. The industry category for each indirect job creating investment activity.

6. Be prepared to provide:
  - a. The total aggregate number of approved EB-5 alien investor I-526 petitions per each Federal Fiscal Year to date made through your Regional Center.
  - b. The total aggregate number of approved EB-5 alien investor I-829 petitions per each Federal Fiscal Year to date through your Regional Center.
7. The total aggregate sum of EB-5 alien capital invested through your Regional Center for each Federal Fiscal Year to date since your approval and designation.
8. The combined total aggregate of "new" direct and/or indirect jobs created by EB-5 investors through your Regional Center for each Federal Fiscal Year to date since your approval and designation.
9. If applicable, the total aggregate of "preserved" or saved jobs by EB-5 alien investors into troubled businesses through your Regional Center for each Federal Fiscal Year to date since your approval and designation.
10. If for any given Federal Fiscal Year your Regional Center did or does not have investors to report, then provide:
  - a. a detailed written explanation for the inactivity,
  - b. a specific plan which specifies the budget, timelines, milestones and critical steps to:
    - i. actively promote your Regional Center program,
    - ii. identify and recruit legitimate and viable alien investors, and
    - iii. a strategy to invest into job creating enterprises and/or investment activities within the Regional Center.
11. Regarding your website, if any, please be prepared to provide a hard copy which represents fully what your Regional Center has posted on its website, as well as providing your web address. Additionally, please provide a packet containing all of your Regional Center's hard copy promotional materials such as brochures, flyers, press articles, advertisements, etc.
12. Finally, please be aware that it is incumbent on each USCIS approved and designated Regional Center, in order to remain in good standing, to notify the USCIS within 15 business days at [USCIS.ImmigrantInvestorProgram@dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@dhs.gov) of any change of address or occurrence of any material change in:
  - the name and contact information of the responsible official and/or Point of Contact (POC) for the RC
  - the management and administration of the RC,
  - the RC structure,
  - the RC mailing address, web site address, email address, phone and fax number,
  - the scope of the RC operations and focus,
  - the RC business plan,

CMB Summit LLC Regional Center

Page 6

- any new, reduced or expanded delegation of authority , MOU, agreement, contract, etc. with another party to represent or act on behalf of the RC,
- the economic focus of the RC, or
- any material change relating to your Regional Center's basis for its most recent designation and/or reaffirmation by USCIS.

If you have any questions concerning the Regional Center approval and designation under the Immigrant Investor Pilot Program, please contact the USCIS by Email at [USCIS.ImmigrantInvestorProgram@dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@dhs.gov).

Sincerely,



Christina Poulos  
Director  
California Service Center

cc: Lincoln Stone, Esq.

# CALIFORNIA SERVICE CENTER ROUTING SLIP

WAC / WSC # \_\_\_\_\_ A # \_\_\_\_\_

Rev.06/10/09

**USCIS**

Director (AA003)

Deputy Director (AA002)

Special Assistant (AA007)

Duty Officer

<input type="checkbox"/> QA Incoming: EX801 <input type="checkbox"/> MR Returns: W/S 22040 <input type="checkbox"/> W/S: _____ ATTN: _____	<input type="checkbox"/> Incoming: AD477 <input type="checkbox"/> W/S: _____ ATTN: _____	<input type="checkbox"/> Incoming: EX925 <input type="checkbox"/> W/S: _____ ATTN: _____	<input type="checkbox"/> Incoming: EX641 <input type="checkbox"/> QA Corrections: AD116 <input checked="" type="checkbox"/> W/S: 24064 ATTN: _____
---	--	--	---

<input type="checkbox"/> Incoming: EX641 <input type="checkbox"/> W/S: _____ ATTN: _____	<input type="checkbox"/> CPAU Incoming: RS601 <input type="checkbox"/> CFF Incoming: RS902 <input type="checkbox"/> FOIA Incoming: RS337 <input type="checkbox"/> RRU Incoming: RS554 Outside <input type="checkbox"/> RRU Ponds: W/S 24201 <input type="checkbox"/> RRU BIA Incoming: RS339 <input type="checkbox"/> W/S: _____ ATTN: _____	<input type="checkbox"/> N-400 Incoming: RS274 <input type="checkbox"/> W/S: _____ ATTN: _____	<input type="checkbox"/> Rap Sheets/ EPS Incoming: AD800 <input type="checkbox"/> W/S: _____ ATTN: _____
--	--	--	--

<input type="checkbox"/> Incoming: EX641 <input type="checkbox"/> W/S: _____ ATTN: _____	<input type="checkbox"/> Incoming: WR000 <input type="checkbox"/> CSC Counsel <input type="checkbox"/> ATTN: _____ <input type="checkbox"/> W/S: _____ ATTN: _____	DIVISION VIII COUNSEL	DIVISION IX Registered Check Unit
--	--	-----------------------	-----------------------------------

<input type="checkbox"/> Incoming: EX641 <input type="checkbox"/> W/S: _____ ATTN: _____	<input type="checkbox"/> Incoming: EX619 <input type="checkbox"/> Correspondence/ I-130 Upgrades: SZ743 <input type="checkbox"/> Incoming Congressional: CG709 <input type="checkbox"/> W/S: _____ ATTN: _____	<input type="checkbox"/> CFDO: DU000 <input type="checkbox"/> Incoming Religious Worker: DU400 <input type="checkbox"/> W/S: _____ ATTN: _____	<b>SCOSS</b> <input type="checkbox"/> NTA Shelf (TPS / I-485 / I-751 / I-539 BI/B2 / I-360 / Misc.): RC445 <input type="checkbox"/> Non-EPS Incoming (I-485 / I-130 / Misc.): RC448
--	--	---	---

**SCOSS**      ATTN: \_\_\_\_\_      W/S: \_\_\_\_\_      RPC: \_\_\_\_\_

<input type="checkbox"/> NRC Hold Approved: _____ <input type="checkbox"/> NRC Hold Denied: RC417 <input type="checkbox"/> HBG Hold Approved: _____ <input type="checkbox"/> HBG Hold Denied: RC418	<input type="checkbox"/> Return to JIT * RC419 * Specify application / petition type in Comments field below <input type="checkbox"/> SCAN CR 1-89 / 698 / 829: RC318 <input type="checkbox"/> FR Backend Appeal Pod: RC410	<input type="checkbox"/> Routing Hub: RC422 <input type="checkbox"/> CIS FTR Review Complete * RC442 * Attach sheet and / or file	<input type="checkbox"/> BCU/Non Top 4 Shelf: RC441 <input type="checkbox"/> BCU Top 4 Shelf: RC441 <input type="checkbox"/> FBI # / CIS Shelf: RC441
<input type="checkbox"/> NATZ Unit: RC411 <input type="checkbox"/> NATZ Picklist: RC436 <input type="checkbox"/> Interfiling: WS23165 <input type="checkbox"/> Front End Request: RC427	<input type="checkbox"/> Backend Scan: RC307 <input type="checkbox"/> SNAP Incoming: RC302 <input type="checkbox"/> NBC 103 Hold (RFE / ITD): RC449 <input type="checkbox"/> 103 Hold (RFE / ITD): RC420 <input type="checkbox"/> I-512 Incoming: RC313	<input type="checkbox"/> Transfer to FCO: RC421 <input type="checkbox"/> Transfer to NVC: RC438 <input type="checkbox"/> FTC Incoming: RC437 <input type="checkbox"/> HBG I-129 Copy: RC454 <input type="checkbox"/> I-130 Upgrades: RC055	<input type="checkbox"/> F/R A-File Create: RC413 <input type="checkbox"/> File Consolidate: RC423 <input type="checkbox"/> I-485 File Consolidate: RC439 <input type="checkbox"/> Approved Awaiting I-89: RC428 <input type="checkbox"/> PP I-129 Copy: PP805

Comments Below:

RC proposal RFE (1)

If not pre-printed on form - include entire WS number  
**Rev. 06/10/09**

Note: This CSC Routing Slip is updated on the 15th & 30th of each month. Please submit changes to Division VII-CPAU: WS 24250. The current fillable & printable formats can be found @ O:Common/Forms/CSC Routing Slip. Incomplete or outdated routing slip

Reminder: Receive (RE): To yourself only / Charge Out (CO): If different section code / Reassign (UR): If same section code.

From: CORR UNIT	Date: 06-16-2009	Ext: 3030	RPC: 256	DIV: AL2100568
-----------------	------------------	-----------	----------	----------------

		Application/Petition REGIONAL CENTER PROPOSAL
Receipt # W09000170		
Notice Date March 19, 2009	Page 1 of 5	Regional Center CMB Summit LLC Regional Center

Lincoln Stone, Esq.  
Stone & Grzegorek, LLP  
800 Wilshire Blvd., Suite 900  
Los Angeles, CA 90017

Request for Evidence

**IMPORTANT: WHEN YOU HAVE COMPLIED WITH THE INSTRUCTIONS ON THIS FORM, RESUBMIT THIS NOTICE ON TOP OF ALL REQUESTED DOCUMENTS AND /OR INFORMATION TO THE ADDRESS BELOW. THIS OFFICE HAS RETAINED YOUR PETITION/APPLICATION WITH SUPPORTING DOCUMENTS.**

**THE INFORMATION REQUESTED BELOW MUST BE RECEIVED BY THIS OFFICE NO LATER THAN EIGHTY-FOUR (84) DAYS FROM THE DATE OF THIS NOTICE. IF YOU DO NOT PROVIDE THE REQUESTED DOCUMENTATION WITHIN THE TIME ALLOTTED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED PURSUANT TO 8 C.F.R. 103.2(B)(13) AND, AS SUCH, WILL BE DENIED.**

WS 24064/CSC3700 DIV III


**RETURN THIS NOTICE ON TOP OF THE REQUESTED INFORMATION LISTED ON THE ATTACHED SHEET.**

**Note:** You are given until JUN 13 2009 in which to submit the information requested.

Pursuant to 8 C.F.R. 103.2(b)(11) failure to submit ALL evidence requested at one time may result in the denial of your application.

For non-US Postal Service  
Attn: EB 5 RC Proposal  
24000 Avilla Road, 2<sup>nd</sup> Floor  
Laguna Niguel, CA 92677

You will be notified separately about any other applications or petitions you filed. Save a photocopy of this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES CALIFORNIA SERVICE CENTER Attn: EB 5 RC Proposal P.O. BOX 10590 LAGUNA NIGUEL, CA 92607-0526	 W09 000 175
--	---

13-21 STIMP68,CSC3 03EN AL2100568



## Additional Information for Applicants and Petitioners.

### General.

The filing of an application or petition does not in itself allow a person to enter or remain in the United States and does not confer any other right or benefit.

### Inquiries.

If you do not hear from us within the processing time given on this notice and you want to know the status of this case, use InfoPass at [www.uscis.gov](http://www.uscis.gov) to contact your local USCIS office or call our National Customer Service Center at 1-800-375-5283.

You should follow the same procedures before contacting your local USCIS office if you have questions about this notice.

Please have this form with you whenever you contact a local office about this case.

### Requests for Evidence.

If this notice asks for more evidence, you can submit it or you can ask for a decision based on what you have already filed. When you reply, please include a copy of the other side of this notice and also include any papers attached to this notice.

### Reply Period.

If this notice indicates that you must reply by a certain date and you do not reply by that date, we will issue a decision based on the evidence on file. No extension of time will be granted. After we issue a decision, any new evidence must be submitted with a new application or petition, motion or appeal, as discussed under "Denials".

### Approval for a Petition.

Approval of an immigrant or nonimmigrant petition means that the beneficiary, the person for whom it was filed, has been found eligible for the requested classification. However, approval of a petition does not give any status or right. Actual status is given when the beneficiary is given the proper visa and uses it to enter the United States. Please contact the appropriate U.S. consulate directly if you have any questions about visa issuance.

For nonimmigrant petitions, the beneficiary should contact the consulate after receiving our approval notice. For approved immigrant petitions, the beneficiary should wait to be contacted by consulate.

If the beneficiary is now in the United States and believes he or she may be eligible for the new status without going abroad for a visa, he or she should use InfoPass to contact a local USCIS office about applying here.

### Denials.

A denial means that after every consideration, USCIS concluded that the evidence submitted did not establish eligibility for the requested benefit.

If you believe there is more evidence that will establish eligibility, you can file a new application or petition, or you can file a motion to reopen this case. If you believe the denial is inconsistent with precedent decisions or regulations, you can file a motion for reconsideration.

If the front of this notice states that this denial can be appealed and you believe the decision is in error, you can file an appeal.

You can obtain more information about these processes by either using InfoPass to contact your local USCIS office, or by calling the National Customer Service Center.

**What is the Immigrant Investor Pilot Program?**

The Immigrant Investor Pilot Program ("Pilot Program") was created by Section 610 of Public Law 102-395 (October 6, 1992). This is different in certain ways from the basic EB-5 investor program.

The Pilot Program began in accordance with a Congressional mandate aimed at stimulating economic activity and creating jobs for U.S. workers, while simultaneously affording eligible aliens the opportunity to become lawful permanent residents. Through this innovative program, foreign investors are encouraged to invest funds in an economic unit known as a "Regional Center."

A Regional Center is defined as any economic unit, public or private, engaged in the promotion of economic growth, improved regional productivity, job creation and increased domestic capital investment.

8 CFR 204.6(m)(3) describes the specific evidence that must be submitted before consideration for eligibility for this benefit may proceed. After a review of your proposal in light of these requirements, the following information, evidence or clarification is needed to proceed.

The EB-5 program including the Regional Center or Pilot Program primarily focuses on job creation not general economic growth. Unlike other government programs which may deal in the general financial impact of investment dollars, this program is concerned with the specific impact of investment funds on creating new employment. In order to qualify as a Regional Center, the Regional Center Proposal must show the nexus between the Regional Center and job creation. It must also establish the specific activities relative to each category or industry for which the Center is requesting. Economical analyses and model which address the proposed activities are essential.

It is always best to start with a cover letter that acts as an executive summary followed by a table of contents of the various tabbed sections to follow.

**Indirect Job Creation (8 CFR 204.6(m)(3)(ii)):**

8 CFR 204.6(m)(3)(ii) requires you to:

Provide in verifiable detail how jobs will be created indirectly:

It is imperative to fully explain indirect job creation, as well as the direct and induced jobs, if any. The requirement of creating at least 10 new full-time (35 hours per week) jobs per each individual alien investor may be satisfied by showing that, as a result of the investment and the activities of the new enterprise, at least 10 jobs per alien investor will be created directly or indirectly through an employment creation multiplier effect. For instance, you have provided an economic impact analysis of the EB-5 limited partnership investments in the proposed regional center for [redacted] using the IMPLAN model:



(b)(4)

(b)(4)

CMB Summit LLC Regional Center  
W09000170  
Page 3



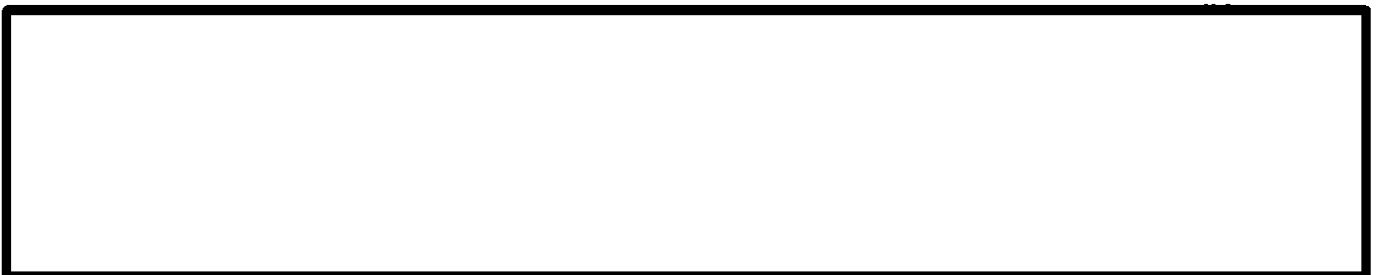
**Regional Center's Operational Plan -- Amount and Source of the Regional Center's Operational Capital (8 CFR 204.6(m)(3)(iii)):**

A proposal must include a detailed statement regarding the amount and source of the capital that has been committed to the Regional Center, in addition to the description of the promotional efforts taken and planned by the Regional Center's sponsors. USCIS has interpreted the words, "amount and source of capital that has been committed to the Regional Center" to mean the capital sufficient to sustain the Regional Center distinct from immigrant investors' required capital investment in a new commercial enterprise within the Regional Center.

The detailed statement that is required to meet the regulatory requirement relating to the amount and source of capital committed to the Regional Center should include:

- the exact amount of funds that have been dedicated to the Regional Center to accomplish the goals of the Pilot Program;
- the source of such funds;
- whether the amount is sufficient to sustain the Regional Center; and
- evidence that the funds have already been committed to the Regional Center.

None of the capital sustaining the Regional Center can come from immigrant investors' required threshold capital investment (as distinct from the new commercial enterprises' revenues). This separation of funds is necessary to enable the alien entrepreneur to qualify for the EB-5 immigrant investor classification.



**Regional Center's Operational Plan – Recruitment and Due Diligence (8 CFR 204.6(m)(3)(iii)):**

For any individual alien investor who will be solicited by a Regional Center to invest the requisite capital into a Regional Center commercial activity, it will be incumbent on the Regional Center to engage in a due diligence process to establish that all sources of capital can be fully explained and clearly shown to have been lawfully obtained.



**Regional Center's Operational Plan – Promotional Efforts (8 CFR 204.6(m)(3)(iii)):**

USCIS interprets the words “promotional efforts” to mean an advertising or marketing program planned by the sponsors of the Regional Center that is designed to attract immigrant investors to the Regional Center. Regional Center proposals require a full description of the past, current and future promotional activities for the Regional Center. This shall include a description of the budget for this activity as well as a statement as to the source of those funds used to accomplish this necessary task.



**The Business Approach and Structure of the Regional Center (INA 610(a)):**

The business aspects of the Regional Center must be fully explained as to its structure. This aspect of a proposal includes, but is not limited to, the following basic elements or samples of them as applicable to the business approach and structure to be used by the Regional Center:

- An overall Business Plan - mandatory
- Draft Operating Agreement
- Draft Partnership Agreement
- Draft Subscription Agreement
- Draft Escrow Agreements and Instructions (one for capital and one for any service fees). Such agreements usually include an “out clause” in the event of an unsuccessful visa process as a marketing tool<sup>1</sup> but are not required.
- List of proposed reputable financial institutions to serve as the Escrow Agent(s).
- Draft of an Offering Letter, Memorandum, Confidential Private Placement Memorandum, or similar offering made in writing to an immigrant investor through the Regional Center.

<sup>1</sup> **NOTE: Under NO circumstances** may any agreement or document in support of an investor’s I-526 petition offer or imply return or reimbursement of his/her capital investment should the subsequent I-829 Petition to Remove Conditions be denied by USCIS. The USCIS considers any such reimbursement provision within the period of an alien investor’s conditional residence prohibited by precedent decision in Matter of Izumii.

- Draft Memorandum of Understanding, Interagency Agreement, Contract, Letter of Intent, Advisory Agreement, or similar agreement to be entered into with any other party, agency or organization to engage in activities on behalf of or in the name of the Regional Center.

Evidence relating to the following has not been submitted:



**Administrative Oversight (8 CFR 204.6(m)(6)):**

The law and regulations at 8 CFR 204.6(m)(6), require that an approved Regional Center in order to maintain the validity of its approval and designation must continue to meet the statutory requirements of the Immigrant Investor Pilot Program by serving the purpose of promoting economic growth, including increased export sales (where applicable), improved regional productivity, job creation, and increased domestic capital investment. Therefore, in order for USCIS to determine whether an approved and designated Regional Center is in compliance with the above cited regulation, and in order to continue to operate as a USCIS approved and designated Regional Center, your administration, oversight, and management of your Regional Center shall be such as to monitor all investment activities under the sponsorship of your Regional Center and to maintain records, data and information on a quarterly basis in order to report to USCIS upon request the following year to date information for each Federal Fiscal Year<sup>2</sup>, commencing with the initial year as follows:

Submit a description of your plans to administer, oversee, and manage the proposed Regional Center, including but not limited to such things as to identify, assess and evaluate proposed immigrant investor projects and enterprises; how the proposed Regional Center would perform “due diligence” as to whether investment capital to be sought will consist solely of alien investor capital or a combination of alien investor capital and domestic capital; how to monitor all investment activities affiliated, through or under the sponsorship of the proposed Regional Center, and to maintain records, data and information on projects, investors, business activities, etc., in order to report to USCIS for each Federal Fiscal Year. This is known as “due diligence” and is coupled with “oversight reporting responsibilities” to be fully explained if approved and designated.

**Translations:**

Any document containing a foreign language submitted to USCIS shall be accompanied by a full English translation that the translator has certified as complete and accurate, and by the translator’s certification that he or she is competent to translate from the foreign language into English.

**Copies:**

Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain part of the record, even if the submission was not required.

---

<sup>2</sup> A Federal Fiscal Year runs for twelve consecutive months from October 1<sup>st</sup> to September 30<sup>th</sup>.



STONE & GRZEGOREK LLP

800 Wilshire Boulevard, Suite 900  
Los Angeles CA 90017  
tel 213 627 8997 fax 213 627 8998  
www.lskglaw.com

S&G File: 4222.06

June 10, 2009

**Sent via Federal Express**

U.S. Citizenship and Immigration Services  
California Service Center  
Attn: EB-5 Regional Center Proposal  
24000 Avila Road, 2<sup>nd</sup> Floor  
Laguna Niguel, CA 92677

Re: **Request for Evidence**

**Application: Request for Designation as Regional Center  
Immigrant Investor Pilot Program, 8 CFR 204.6(m)**  
**Applicant: CMB Summit, LLC**  
**Territory: Summit County, Ohio**

Dear Examiner:

Please find enclosed our response to your Request for Evidence dated March 19, 2009:

- Request for Evidence
- Letter of Patrick Hogan, President/CEO of CMB Summit, LLC
- Supporting documents

Thank you for your prompt consideration of the enclosed.

Sincerely,

STONE & GRZEGOREK LLP

LINCOLN STONE

LS:EA  
Enclosures

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

## Appendix A: IMPLAN Tables

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

**DEVELOPMENT AGREEMENT**

**Among**

**CITY OF AKRON, OHIO**

**And**

**SUMMIT COUNTY, OHIO**

**And**

**IRG RUBBER CITY, LLC**

**Dated: December 3, 2007**

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

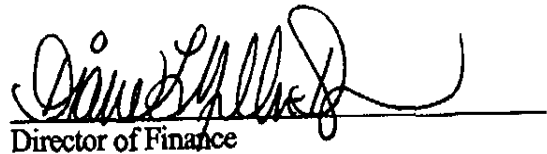
(b)(4)

(b)(4)



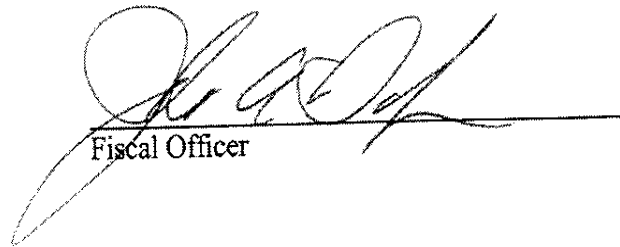
**CERTIFICATE OF DIRECTOR OF FINANCE**

The undersigned, fiscal officer of the City, hereby certifies that the money required to meet the obligations of the City during the year 2007 under the foregoing Agreement has been lawfully appropriated by the Council of the City for such purposes and is in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

  
Director of Finance

**CERTIFICATE OF COUNTY FISCAL OFFICER**

The undersigned, Fiscal Officer of the County, hereby certifies that the money required to meet the obligations of the County during the year 2007 under the foregoing Agreement has been lawfully appropriated by the Council of the County for such purposes and is in the treasury of the County or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

  
Fiscal Officer

## SCHEDULE OF EXHIBITS

The following exhibits are attached to this Agreement and incorporated herein by reference.

- EXHIBIT A – SITE PLAN
- EXHIBIT B – PHASING PLAN
- EXHIBIT C – FUNDING CHART
- EXHIBIT D – PROJECT TIMETABLE
- EXHIBIT E – DEVELOPMENT AND RETENTION AGREEMENT

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

**CERTIFICATE OF DIRECTOR OF FINANCE**

The undersigned, fiscal officer of the City, hereby certifies that the money required to meet the obligations of the City during the year 2007 under the foregoing Agreement has been lawfully appropriated by the Council of the City for such purposes and is in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

\_\_\_\_\_  
Director of Finance

**CERTIFICATE OF COUNTY FISCAL OFFICER**

The undersigned, Fiscal Officer of the County, hereby certifies that the money required to meet the obligations of the County during the year 2007 under the foregoing Agreement has been lawfully appropriated by the Council of the County for such purposes and is in the treasury of the County or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

---

Fiscal Officer

(b)(4)

(b)(4)

(b)(4)

(b)(4)

**CERTIFICATE OF DIRECTOR OF FINANCE**

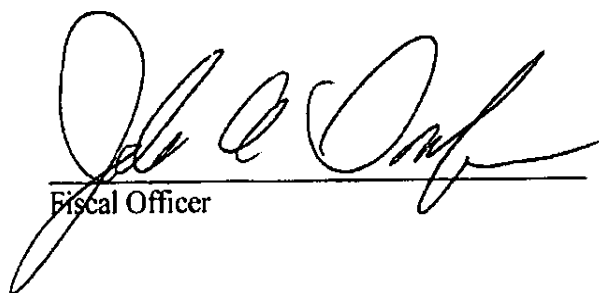
The undersigned, fiscal officer of the City, hereby certifies that the money required to meet the obligations of the City during the year 2009 under the foregoing Modification has been lawfully appropriated by the Council of the City for such purposes and is in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

  
\_\_\_\_\_  
Director of Finance



## CERTIFICATE OF COUNTY FISCAL OFFICER

The undersigned, Fiscal Officer of the County, hereby certifies that the money required to meet the obligations of the County during the year 2008 under the foregoing Amendment has been lawfully appropriated by the Council of the County for such purposes and is in the treasury of the County or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.



Fiscal Officer

**SCHEDULE OF ATTACHMENTS**

The following exhibits are attached to this Modification and incorporated herein by reference.

ATTACHMENT 1 - FUNDING CHART

ATTACHMENT 2 – POTENTIAL FUNDING SHORTFALL FOR PHASE 1 a., b. and f.

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)



**CMB EXPORT LLC**

Member Login

User Name

Password

HOME ABOUT CMB CURRENT PROJECT COMPLETED PROJECTS UNDERSTANDING EB-5 LINKS CONTACT US

- General Disclaimer
- Privacy Policy
- IRS Circular

**Featured News**

**Hillwood Kicks Off Final Part of AllianceCalifornia - Real Estate Southern California Magazine**

**CMB Export receives certificate**  
 CMB IS APPROVED -The federal government approves CMB as a regional center from the U.S. Citizenship ...More



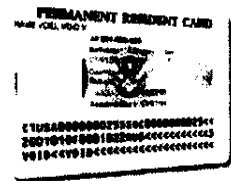
**FAST AND PERMANENT IMMIGRATION TO THE UNITED STATES OF AMERICA**

CMB, a Federally-Designated Regional Center, was created in 1997 to assist foreign nationals in obtaining permanent U.S. residency utilizing the Federal EB-5 program. By investing \$500,000 to create 10 US jobs, an immigrant investor can earn an EB-5 Visa. The CMB Regional Center operates within the guidelines of the Federal Pilot Program, a subgroup of the EB-5 Visa program. CMB successfully utilizes the EB-5 law to assist immigrants in their goal to earn permanent residency in the U.S. while also generating economic growth within the Regional Center. The CMB Regional Center consists of six former U.S. Military Bases in the state of California. California is renowned for its ethnic and cultural diversity as well as its vibrant economy. If California was an independent nation, it would have the world's seventh largest economy. It is also the gateway to trade and commerce with the Pacific Rim.

CMB has accomplished much since the date of its founding while the business, legal and regulatory climate has continued to evolve. Yet the basic concept of CMB has not changed. CMB has continued to research and implement investments in those military bases in California associated with its Regional Center designation.

CMB's broad goals are three fold:

- 1) *Qualify the investor for a permanent visa under EB-5.*
- 2) *Return the original investment capital to the investor.*
- 3) *Secure a return on investment for our investors.*



Green Card

**Geographic Location of the CMB Regional Center is in the Beautiful State of California**



California is a state located in the western United States, bordering the Pacific Ocean. The most populous and third largest state in the Union, California is both physically and demographically diverse. California borders the Pacific Ocean, Oregon, Nevada, Arizona, and the Mexican State of Baja California. The state has striking natural features, including a huge fertile central valley, high mountains, and hot dry deserts. California is responsible for 14% of American gross domestic product, which at nearly \$1.4 trillion is greater than that of every country in the world save for the United States, Japan, Germany and the United Kingdom. EB5 can get your permanent green card citizenship.

WHAT ARE THE BENEFITS OF EB-5?	WHY CHOOSE CMB?
<ul style="list-style-type: none"> <li>• Qualifying investors, their spouse and children under 21 years of age will be</li> </ul>	<ul style="list-style-type: none"> <li>• Defined Exit Strategy.</li> </ul>

<p>granted U.S. Lawful Permanent Residency, otherwise known as a Green Card.</p> <ul style="list-style-type: none"><li>• Since a Green Card provides legal permanent resident status, it can lead to U.S. citizenship after five years of earning the green card.</li><li>• Legal permanent residents under the Investor Visa Program enjoy the same benefits as every other United States resident.</li><li>• The EB-5 Visa requires no renewal or re-application which is significant since U.S. immigration laws may change and prevent future approval when a renewal of visa is required.</li><li>• Investors may work, live, or own their own proprietary businesses anywhere in the U.S.</li></ul> <p><a href="#">Read More...</a></p>	<ul style="list-style-type: none"><li>• Low Risk Investment.</li><li>• Approved Proof of Jobs Methodology.</li><li>• Transparency Of Investment.</li><li>• 4% Cap on Business Expenses.</li><li>• High Unemployment Area.</li><li>• Convenient California Location.</li><li>• Escrow Account Used to Protect the Investor.</li><li>• Strategic Partnership with Co-Invest.</li><li>• Overall Simplicity of the Program.</li></ul> <p><a href="#">Read More...</a></p>
---	---



# CMB EXPORT LLC

[Member Login](#)



[HOME](#)
[ABOUT CMB](#)
[CURRENT PROJECT](#)
[COMPLETED PROJECTS](#)
[UNDERSTANDING EB-5](#)
[LINKS](#)
[CONTACT US](#)

- What is CMB?
- Strengths of CMB
- Investing with CMB
- Management Team
- FAQs: CMB & Investment Issues

#### QUICK LINKS

- Home
- U.S. Citizenship and Immigration Service

#### FEATURED NEWS

**Hillwood Kicks Off Final Part of AllianceCalifornia - Real Estate Southern California Magazine**

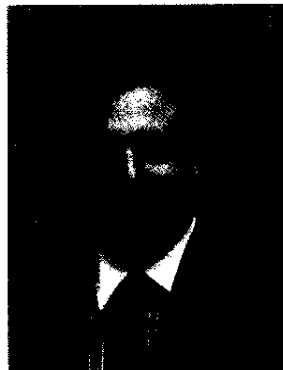
**CMB Export receives certificate**  
 CMB IS APPROVED -The federal government approves CMB as a regional center from the U.S. Citizenship ...[More](#)

#### Management Team



#### Patrick F. Hogan

The President, CEO and Managing Member of CMB Export LLC is Patrick F. Hogan. Mr. Hogan has been an entrepreneur for nearly 30 years. He began his career as a business owner in 1978. He has owned and operated numerous businesses that have had annual sales over \$30 million per year and employed over 300 employees. The various businesses include a chain of service station car washes, photography development labs, a "Top 100" chain of video stores, a custom photography business, a book publishing company, the number one (by yearly sales) antique/collectable firearms auction house in the world, and others. Mr. Hogan has been active in the immigration investment field for over thirteen years.



#### William F. Hurley

The Vice President of Business Development of CMB Export LLC is William F. Hurley. He has nearly two decades of experience in the law as well as business management. He has served as a director of a trade association in the food & beverage industry and the deputy chief of staff for a former member of the U.S. House of Representative. Mr. Hurley has advised companies in the areas of antitrust, mergers & acquisitions, government affairs, bankruptcy and litigation. Among the clients he has counseled include BP-Amoco, United Airlines, WR Grace & Co., AT&T, PepsiCo, and Verizon. Mr. Hurley received his B.A. from the University of Illinois and his J.D. from DePaul University in Chicago, Illinois.



#### Kraig A. Schwigen

The Executive Director of CMB Export LLC is Kraig A. Schwigen. Mr. Schwigen has had a professional relationship with Mr. Hogan since 1998. He served with the Rock Island County Sheriff's Department for over twenty-three years. Prior to his retirement from law enforcement in 2008 he rose to the rank of Lieutenant. During his career he was responsible for overseeing numerous divisions within the department including Investigation, Fugitive, Patrol, Professional Standards and Administrator of the County Jail. During this same time he also oversaw the security for Mr. Hogan's premier firearms auction house. Additionally, Mr. Schwigen has over 15 years involvement in the new home construction and real estate development industries, recently completing one of the largest home subdivisions in Western Illinois.

#### Judy Voss

The Marketing Director of CMB Export LLC is Judy E. Voss. Ms. Voss began her career with Mr. Hogan in the late 80's with his video store chain. With an aggressive marketing campaigns the chain grew from 5 to 14 outlets and was acknowledged as the Video Store Top 100 retail chain in America (7 years running). During her 20 years working under the Hogan



management umbrella Ms. Voss has promoted and marketed the various businesses in which Mr. Hogan has endeavored, i.e. service station car washes, custom photography, video store chain and the antique/collectable firearms auction house under her marketing direction the Rock Island Auction Company established new industry records for 5 years running resulting in 2008 breaking the 30 million in sales for the year.

© 2009 CMB EXPORT, LLC

Call [309-797-1550](tel:309-797-1550) | [Privacy Policy](#)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)





(b)(4)

(b)(4)



(b)(4)



(b)(4)



(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

**EXHIBIT A**  
**SUBSCRIPTION AGREEMENT**

**EXHIBIT B**  
**LIMITED PARTNERSHIP AGREEMENT**



**EXHIBIT C**  
**ESCROW AGREEMENT**

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



EXHIBIT "A"

PROMISSORY NOTE

PRO FORMA SHOULD CMB SUMMIT REGIONAL CENTER BE APPROVED

EXHIBIT "B"  
IMPROVEMENTS

(b)(4)





(b)(4)







**SCHEDULE A**  
**Assets**

## Schedule B

The following rules shall apply with respect to directions, instructions, and modifications of this Account.

Single Beneficiary:      Name \_\_\_\_\_  
                                  Taxpayer ID \_\_\_\_\_  
                                  Address \_\_\_\_\_  
                                  Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Multiple Individual Beneficiaries:      Names \_\_\_\_\_  
                                  Taxpayer ID 1 \_\_\_\_\_ Taxpayer ID 2 \_\_\_\_\_  
                                  Address \_\_\_\_\_  
                                  Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Directions/Modifications Require Signature of:

Any Beneficiary \_\_\_\_\_ All beneficiaries \_\_\_\_\_

Other \_\_\_\_\_

Joint Tenancy/Correspondence/Incapacity:

This Account is a joint tenancy with full right of survivorship and not a tenancy in common unless indicated below. Any communication sent to the designated address shall be considered received by all Beneficiaries. This agreement shall not be affected by the incompetency of any Beneficiary. Regardless of the selection mad above, the remaining beneficiary shall be empowered to receive notices, give you directions, or modify this agreement.

\_\_\_\_\_ Check here if relationship is Tenants in Common.

Corporation/Partnership:      Entity Name      CMB Summit Investment Group I  
                                  Taxpayer ID \_\_\_\_\_  
                                  Address      4507 49<sup>th</sup> Ave, Moline, IL 61265  
                                  Telephone      309-797-1500 E-Mail \_\_\_\_\_

Individuals with authority to act on behalf of beneficiary:

Patrick Hogan \_\_\_\_\_ Kraig Schwigen \_\_\_\_\_  
 Joan Hogan \_\_\_\_\_  
 William Hurley \_\_\_\_\_

Telephone 309-797-1500 \_\_\_\_\_ E-mail \_\_\_\_\_

Directions/Modifications Require Signature of:

Any Beneficiary                                       X      All beneficiaries \_\_\_\_\_

Other \_\_\_\_\_  
Any Beneficiary \_\_\_\_\_ All beneficiaries \_\_\_\_\_

**W-9  
REQUEST FOR TAXPAYER  
IDENTIFICATION NUMBER AND CERTIFICATION**

PART I Taxpayer Identification Number

Social Security Number

Enter your taxpayer identification number on the appropriate line. For individuals and sole proprietors, this is your social security number. For other entities, it is your employer identification number.

Employer Identification Number

PART II For Payees Exempt From Backup Withholding

CMB Infrastructure Investment Group

Certification — Under penalties of perjury, I certify that:

- (1) The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- (2) I am not subject to backup withholding either because I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the IRS has notified me that I am no longer subject to backup withholding (does not apply to real estate transactions, mortgage interest paid, the acquisition or abandonment of secured property, contributions to an individual retirement arrangement (IRA), and payments other than interest and dividends).

Certification Instructions — You must cross out item (2) above if you have been notified by the IRS that you are currently subject to backup withholding because of underreporting interest or dividends on your tax return.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
CMB Summit Investment Group I

## **First Midwest Bank - Consumer Privacy Policy**

### **Introduction**

At First Midwest Bank, ("Bank"), our mission is to help clients achieve the goal of financial independence by offering the financial resources which will create value over a lifetime. In keeping with this mission, it is also important to us to protect your accounts and your privacy. That is why as part of our standard business practices, we maintain procedures designed to protect confidential information about you. Below, we have outlined the Bank's Consumer Privacy Policy. Such Privacy Policy also applies to, and is part of the standard business practices of, its subsidiaries, as well as First Midwest Bancorp ("Holding Company") and its subsidiaries.

### **We Recognize Your Right To Privacy**

The Bank recognizes our clients' and former clients' ("clients") right to privacy. We will maintain standards to ensure that client information is private and secure at all times.

### **Privacy Summary**

- We do not sell client information.
- We share client information with our subsidiaries and with our Holding Company and its subsidiaries contained within our common database, as permitted by law.
- We do not provide account or other personal information to non-affiliated third parties for the purpose of independent telemarketing or direct mail marketing of any non-financial products or services.
- We do not share any information that requires an "opt-out" from our clients.

### **How Our Collection And Use Of Information Will Benefit You**

The main reason that the Bank collects information about you, is to protect you. The Bank needs to be able to identify you and your products and services in order to prevent access to your personal financial information by unauthorized persons.

We will limit the use and collection of information about you to what is necessary to administer our business, provide superior service, and offer opportunities that we think will be of interest to you. We collect and retain information about you only for specific business purposes.

We will use information that we collect about you in order to:

- Protect and administer your records, accounts, and funds;
- Comply with certain laws and regulations;
- Help us design or improve our products or services; and
- Identify and minimize potential risks to the Bank and our clients.

### **Categories of Information that We Collect**

We collect nonpublic personal information about you from the following sources:

- Information that we receive from you on applications or other forms.
- Information about your transactions with us.
- Information that we receive from a consumer reporting agency such as a consumer credit report.
- Information about your transactions with our subsidiaries.

### **We Maintain Accurate Information**

The Bank recognizes the importance of maintaining accurate information. For that reason, we have established internal procedures to ensure that your financial information is accurate, current, and complete in keeping with reasonable business standards.

Should you believe that our records contain inaccurate or incomplete information about you, please notify us by calling 1-800-322-3623. We will investigate your concerns and correct any inaccuracies.

### **We Limit Employee Access To Information**

The Bank limits employee access to information about our clients and former clients, to those with a business reason to know such information. Employees are informed of the importance of maintaining the confidentiality of our clients' information and on the content of this Consumer Privacy Policy.

### **How We Protect Your Information via Established Security Procedures**

The Bank is committed to the security of your financial and personal information. All of our information and data processing systems are in a secure environment that protects your account information. We maintain and grant access to our client's information only in accordance with our internal security standards.

### **Restrictions on the Information that We Share**

We do not provide account or other personal information to parties that are not our subsidiaries, or the subsidiaries of our Holding Company for the purpose of independent telemarketing or direct mail marketing of any nonfinancial products or services of those companies.

The Bank does not reveal specific information about your accounts or other personally identifiable data to unaffiliated third parties for their independent use unless:

- 1) You request or authorize it;
- 2) The information is provided to help complete a transaction initiated by you;
- 3) The information is provided to a reputable credit bureau or similar consumer reporting agency;
- 4) The disclosure otherwise is lawfully permitted or required.

### **Sharing of Information with Non-affiliated Third Parties**

We do not share any information with non-affiliated third parties that requires an "opt-out" from our clients. While we are committed to protecting confidential information about you and your products and services with us, it may be necessary to provide certain information to non-affiliated third parties as follows:

- Parties named in a lawsuit or administrative action when we are served with a subpoena or court order.
- Federal or state regulatory authorities, including, without limitation, banking examiners or the Internal Revenue Service, as authorized by federal or state law.
- Reputable consumer reporting agencies as lawfully permitted or required.
- Nonaffiliated parties that we have contracted with in order to make available certain products or services, such as mortgage or insurance companies.
- Outside agents or service providers for the purpose of: providing operational, marketing or advertising support; preparing your account statements or loan payment booklets; entering or calculating transactions and balances, or for providing other materials or services upon our behalf.
- The purchaser of any business assets or a business line, such as mortgage servicing rights. In such a case the related client information will be transferred.

### **Sharing Information With Our Subsidiaries, Holding Company and its Subsidiaries**

In order to provide our clients with superior service, and be able to fulfill our Company's mission statement the Bank and its subsidiaries, its Holding Company and its subsidiaries share client information that is contained within our common database, as permitted by law. The Fair Credit Reporting Act permits us to share the following types of information with each other:

- Identification information about you;
- Information about your transactions or with the Bank or our subsidiaries;
- Information about your transactions with our Holding Company or its subsidiaries.

However, the Bank and its subsidiaries, as well as the Holding Company and its subsidiaries do not share the following information among themselves: information that bears upon your creditworthiness, personal characteristics, mode of living or the like (other than information relating to your transactions or experience as described above) which we refer to as personal/credit information. Since we do not share this type of information with each other, no "opt-out" is needed from our clients.

*Revised 9/3/02*

## Notice of Entry of Appearance as Attorney or Representative

**Appearances** - An appearance shall be filed on this form by the attorney or representative appearing in each case. Thereafter, substitution may be permitted upon the written withdrawal of the attorney or representative of record or upon notification of the new attorney or representative. When an appearance is made by a person acting in a representative capacity, his personal appearance or signature shall constitute a representation that under the provisions of this chapter he is authorized and qualified to represent. Further proof of authority to act in a representative capacity may be required. **Availability of Records** - During the time a case is pending, and except as otherwise provided in 8 CFR 103.2(b), a party to a proceeding or his attorney or representative shall be permitted to examine the record of proceeding in a Service office. He may, in conformity with 8 CFR 103.10, obtain copies of Service records or information therefrom and copies of documents or transcripts of evidence furnished by him. Upon request, he/she may, in addition, be loaned a copy of the testimony and exhibits contained in the record of proceeding upon giving his/her receipt for such copies and pledging that it will be surrendered upon final disposition of the case or upon demand. If extra copies of exhibits do not exist, they shall not be furnished free on loan; however, they shall be made available for copying or purchase of copies as provided in 8 CFR 103.10.

In re: <b>CMB Summit LLC - Application for Regional Center Designation</b>	Date: _____
	File No. _____

I hereby enter my appearance as attorney for (or representative of), and at the request of the following named person(s):

Name: <b>CMB Summit LLC</b>	<input type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Beneficiary
Address: (Apt. No.)                      (Number & Street)                      (City)                      (State)                      (Zip Code)	<b>c/o Lincoln Stone      Stone &amp; Grzegorek LLP      800 Wilshire Blvd. #900      Los Angeles, California      90017</b>
Name:	<input type="checkbox"/> Petitioner <input type="checkbox"/> Applicant <input type="checkbox"/> Beneficiary
Address: (Apt. No.)                      (Number & Street)                      (City)                      (State)                      (Zip Code)	

Check Applicable Item(s) below:

<input checked="" type="checkbox"/>	1. I am an attorney and a member in good standing of the bar of the Supreme Court of the United States or of the highest court of the following State, territory, insular possession, or District of Columbia <u>California</u> <u>Supreme Court</u> and am not under a court or administrative agency order suspending, enjoining, restraining, disbaring, or otherwise restricting me in practicing law. <small style="margin-left: 150px;">Name of Court</small>
<input type="checkbox"/>	2. I am an accredited representative of the following named religious, charitable, social service, or similar organization established in the United States and which is so recognized by the Board:
<input type="checkbox"/>	3. I am associated with _____ the attorney of record previously filed a notice of appearance in this case and my appearance is at his request. (If you check this item, also check item 1 or 2 whichever is appropriate.)
<input type="checkbox"/>	4. Others (Explain Fully.)

SIGNATURE 	COMPLETE ADDRESS <b>STONE &amp; GRZEGOREK LLP 800 Wilshire Blvd, Suite 900 Los Angeles, CA 90017</b>
NAME (Type or Print) <b>Lincoln Stone</b>	TELEPHONE NUMBER                      Fax: (213) 627-8998 <b>(213) 627-8997</b>

*PURSUANT TO THE PRIVACY ACT OF 1974, I HEREBY CONSENT TO THE DISCLOSURE TO THE FOLLOWING NAMED ATTORNEY OR REPRESENTATIVE OF ANY RECORD PERTAINING TO ME WHICH APPEARS IN ANY IMMIGRATION AND NATURALIZATION SERVICE SYSTEM OF RECORDS:*  
Lincoln Stone; Kathleen Grzegorek; Shino Milby; Madhu Sharma; Victoria Duong; Elsie Arias; Andrew Hoye; Shabnam Afari; Aman Ja Paquet; Clara Moon  
(Name of Attorney or Representative)

*THE ABOVE CONSENT TO DISCLOSURE IS IN CONNECTION WITH THE FOLLOWING MATTER:*  
**All U.S. immigration matters.**

Name of Person Consenting <b>Patrick Hogan, President/CEO of CMB</b>	Signature of Person Consenting 	Date <b>12-24-2008</b>
---	------------------------------------	---------------------------

(NOTE: Execution of this box is required under the Privacy Act of 1974 where the person being represented is a citizen of the United States or an alien lawfully admitted for permanent residence.)



STONE & GRZEGOREK LLP

800 Wilshire Boulevard, Suite 900  
Los Angeles CA 90017  
tel 213 627 8997 fax 213 627 8998  
www.lskglaw.com

S&G File: 4222.06

January 21, 2009

Sent via U.S. Express Mail

U.S. Citizenship and Immigration Services  
California Service Center  
Attention: EB-5 Processing Unit  
P. O. Box 10526  
Laguna Niguel, CA 92607-0526

Re: **Application:** Request for Designation as Regional Center  
Immigrant Investor Pilot Program, 8 CFR 204.6(m)  
**Applicant:** CMB Summit, LLC  
**Territory:** Summit County, Ohio

Dear Officer:

Enclosed please find our January 6, 2009 letter and accompanying application for designation as a regional center in the above-referenced matter. The application was inadvertently returned to our office by your mailroom.

Please advise us if you have any questions or require further information or documentation. At your earliest opportunity, please confirm receipt of this proposal.

Sincerely,

STONE & GRZEGOREK LLP

LINCOLN STONE

LS/EA:cdr

Enclosures

AL3100606

U.S. Department of Homeland Security  
P.O. Box 30111  
Laguna Niguel, CA 92607-0111



U.S. Citizenship  
and Immigration  
Services

Date:

01-13-09

LINCOLN STONE  
STONE & GRZEGOREK LLP  
RE: CMB SUMMIT LLC  
800 WILSHIRE BLVD STE 900  
LOS ANGELES CA 90017

File No.: \_\_\_\_\_  
Form No.: \_\_\_\_\_

Your request for change of address is being returned to you for the following reason(s):

The attached request to change your petitioner's address is being returned to you as a beneficiary is not entitled to request an address change for the petitioner. This request must be made by the petitioner or attorney of record.

The attached request to change an address on an application or petition is being returned to you as our records indicate that you are not the attorney of record and/or have no relation to the case. This request must be made by the applicant, petitioner, or attorney of record.

Please provide an original signature for attorney/client and/or a G-28.

Please provide an original signature of the applicant/petitioner.

Please provide a receipt number.

Your case has been rejected.

Sincerely,

SERVICE CENTER DIRECTOR

ID# SA6277  
USCIS Conc. \_\_\_\_\_

U.S. Citizenship and Immigration Services

www.uscis.gov





STONE & GRZEGOREK LLP

800 Wilshire Boulevard, Suite 900  
Los Angeles CA 90017  
tel 213 627 8997 fax 213 627 8998  
www.lskglaw.com

S&G File: 4222.06

January 6, 2009

Sent via U.S. Express Mail

U.S. Citizenship and Immigration Services  
California Service Center  
Attention: EB-5 Processing Unit  
P. O. Box 10526  
Laguna Niguel, CA 92607-0526

Re: **Application:** Request for Designation as Regional Center  
Immigrant Investor Pilot Program, 8 CFR 204.6(m)  
**Applicant:** CMB Summit, LLC  
**Territory:** Summit County, Ohio

Dear Officer:

Enclosed please find the following in connection with the above-referenced Request for Designation as Regional Center in the Immigrant Investor Pilot Program, 8 CFR § 204.6(m):

- Form G-28
- Memorandum re Proposal for Designation of Regional Center
- Business Plan of CMB Summit, LLC with Appendices

Please advise us if you have any questions or require further information or documentation. At your earliest opportunity, please confirm receipt of this proposal.

Sincerely,

STONE & GRZEGOREK LLP

LINCOLN STONE

LS/EA:cdr

Enclosures

(b)(4)

(b)(4)

**BUSINESS PLAN  
OF  
CMB SUMMIT, LLC**

AS A

FEDERALLY DESIGNATED REGIONAL CENTER

Submitted by:

Mr. Patrick Hogan  
President & CEO  
CMB Export, LLC  
CMB Summit, LLC  
4905 49<sup>th</sup> Avenue  
Moline, Illinois 61265  
(309) 797-1550 phone  
(309) 797-1655 fax

December 30, 2008

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

\*200835000198\*

DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
12/15/2008	200835000198	ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO. (LCP)	125.00	300.00	.00	.00	.00

**Receipt**

This is not a bill. Please do not remit payment.

UNISEARCH, INC.  
PMB 232  
2545 HILLIARD-ROME ROAD  
HILLIARD, OH 43026

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jennifer Brunner**

**1823600**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for  
**CMB SUMMIT, LLC**

and, that said business records show the filing and recording of:

Document(s):  
**ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO.**

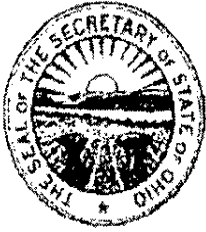
Document No(s):  
**200835000198**



United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio  
this 15th day of December, A.D.  
2008.

Ohio Secretary of State



Form 533A Prescribed by the:  
Ohio Secretary of State

Central Ohio: (614) 466-3910  
Toll Free: (877) SOS-FILE (767-3453)

www.sos.state.oh.us  
Busserv@sos.state.oh.us

**Expedite this form: (select one)**

Mall form to one of the following:

Expedite PO Box 1390  
Columbus, OH 43216

\*\*\* Requires an additional fee of \$100 \*\*\*

Non Expedite PO Box 670  
Columbus, OH 43216

**ARTICLES OF ORGANIZATION FOR A DOMESTIC  
LIMITED LIABILITY COMPANY**  
Filing Fee: \$125.00

12

**(CHECK ONLY ONE (1) BOX)**

<p>(1) <input checked="" type="checkbox"/> Articles of Organization for Domestic For-Profit Limited Liability Company (115-LCA) ORC 1705</p>	<p>(2) <input type="checkbox"/> Articles of Organization for Domestic Nonprofit Limited Liability Company (115-LCA) ORC 1705</p>
--	--

Name of limited liability company  
**CMB SUMMIT, LLC**

Name must include one of the following words or abbreviations: "limited liability company," "limited," "LLC," "L.L.C.," "Ltd.," or "Ltd."

Effective Date \_\_\_\_\_ (The legal existence of the limited liability company begins upon the filing of the articles or on a later date specified that is not more than ninety days after filing)  
(Optional) mm/dd/yyyy

This limited liability company shall exist for \_\_\_\_\_ Period of Existence  
(Optional)

Purpose  
(Optional)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check here if additional provisions are attached

## ORIGINAL APPOINTMENT OF AGENT

The undersigned authorized member(s), manager(s) or representative(s) of

CMB SUMMIT, LLC

Name of Limited Liability Company

hereby appoint the following to be Statutory Agent upon whom any process, notice or demand required or permitted by statute to be served upon the limited liability company may be served. The name and address of the agent is

**National Corporate Research, Ltd.**

Name of Agent

**4568 Mayfield Road, Suite 213**

Mailing Address

Cleveland

City

Ohio

State

44121

Zip Code

- If the agent is an individual and using a P.O. Box, check this box to certify the agent is an Ohio resident.

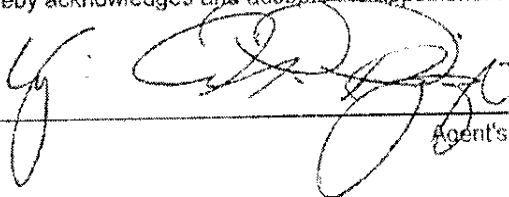
## ACCEPTANCE OF APPOINTMENT

The undersigned, named herein as the statutory agent for

CMB SUMMIT, LLC

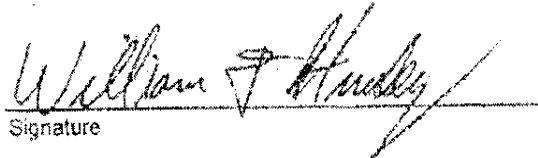
Name of Limited Liability Company

hereby acknowledges and accepts the appointment of agent for said limited liability company

 A.P. Polizzi, Ass't Sec'y  
Agent's Signature

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document on behalf of the limited liability company identified above

**REQUIRED**  
Articles and original  
appointment of agent must  
be authenticated (**signed**)  
by a member, manager or  
other representative.

  
Signature

12/11/2008

Date

WILLIAM F. HURLEY

Print Name

Signature

Date

Print Name

Signature

Date

Print Name

(See instructions Below)



# City of Akron, Ohio

DONALD L. PLUSQUELLIC, MAYOR

December 5, 2008

U.S. Citizenship and  
Immigration Services  
20 Massachusetts Avenue  
Room 2132  
Washington, DC 20529

Dear Sirs,

The City of Akron, Ohio and the Goodyear Tire and Rubber Company share a history that goes back over 110 years. We take great pride in stating that Summit County, Ohio and the City of Akron have been home to Goodyear this entire time. This rich history and the impact that the Goodyear Tire and Rubber Company has on our local economy are the driving forces behind our decision to partner with the County of Summit, project developer Industrial Realty Group (IRG) and the Summit County Port Authority to construct a New World Headquarters for the Goodyear Tire and Rubber Company. This massive undertaking goes well beyond the Goodyear building. Together we have undertaken a project that will revitalize over 600 acres of downtown Akron. The development partners have committed to capital expenditures of over \$900 million dollars that will not only retain the 3,500 jobs associated with the Goodyear Tire and Rubber Company but they will also create over 9,000 new jobs for the Akron/Summit County region.

The City of Akron has already begun spending on the infrastructure improvements that are critical to any project and especially one of this magnitude. The City of Akron has learned through its development partner IRG the professional manner in which the principals of the CMB Regional Center operate their center. The city believes it would be an enormous benefit to Summit County and the City for that same management team to


Page 2

December 5, 2008

operate the anticipated CMB Summit Regional Center. The investment funds available to us through the CMB Summit, LLC Regional Center are vital to the initial phases of this endeavor. Jobs are created when infrastructure is created and businesses build or expand upon the completed infrastructure within our city or county. Infrastructure development by the local, state and federal government provides the roads, water, sewer systems and utilities that allow job creating projects such as this come to fruition. In today's global market cities and counties are forced to shoulder these costs or run the risk of not attracting new businesses or worse losing community cornerstones such as the Goodyear Tire and Rubber Company.

As Mayor of the City of Akron I encourage the USCIS to approve the application and designation of the CMB Summit, LLC Regional Center. I look forward to the investment this new Regional Center will bring to our City. I foresee economic and job creation benefits that will impact not only the City of Akron but the entire Summit County, Ohio region.

Sincerely,



DONALD L. PLUSQUELLIC  
Mayor





# COUNTY OF SUMMIT, OHIO

Russell M. Pry, Executive

175 S. Main Street • Akron, Ohio 44308-1308 • 330.643.2510 • fax: 330.643.2507 • www.co.summit.oh.us

United States Citizenship  
& Immigration Services  
20 Massachusetts Avenue  
Room 2132  
Washington, DC 20529

Dear Sirs:

As County Executive for the County of Summit, Ohio I want to express my support for the establishment of the CMB Summit, LLC Regional Center, serving Summit County. If established, this regional center has the ability to enhance the economic development efforts of the County, and its partners around the county.

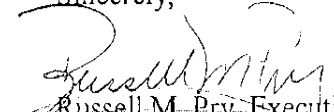
One of our most pressing economic needs is job creation and retention. To that end, the County has partnered with the City of Akron, the Summit County Port Authority, the State of Ohio, to create a new world headquarters facility, research center, and campus for the Goodyear Tire and Rubber Company, the last domestic tire manufacturer in the United States. Goodyear is vital to our county, state and national economy. Goodyear employs approximately 3,500 workers in Northeast Ohio. Goodyear purchases nearly \$400 million dollars worth of goods and services from over 400 Summit County vendors each year.

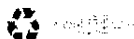
The Goodyear partners have signed a development agreement to invest \$900 million dollars that will retain the jobs of 3,500 workers and create new employment opportunities for over 9,000 more individuals. Through collaboration our development partners have been able to secure a commitment from Goodyear to remain in Summit County for years to come and redevelop over 600 acres in Akron to serve as a magnet for new businesses.

The principals of CMB Export, LLC, an already established regional center, have met with the Goodyear development partners. The development partners are in agreement that the principals of CMB Export, LLC, through the establishment of the CMB Summit, LLC Regional Center, will be able to provide the experience and expertise needed in securing infrastructure investment funds necessary for the various phases of this project. I see the potential for additional projects in Summit County that meet the qualifications for EB-5 investors.

I feel strongly that our relationship with the future CMB Summit, LLC Regional Center can positively impact Summit County and the entire Northeast Ohio region.

Sincerely,

  
Russell M. Pry, Executive  
County of Summit, Ohio



(b)(4)

(b)(4)

(b)(4)

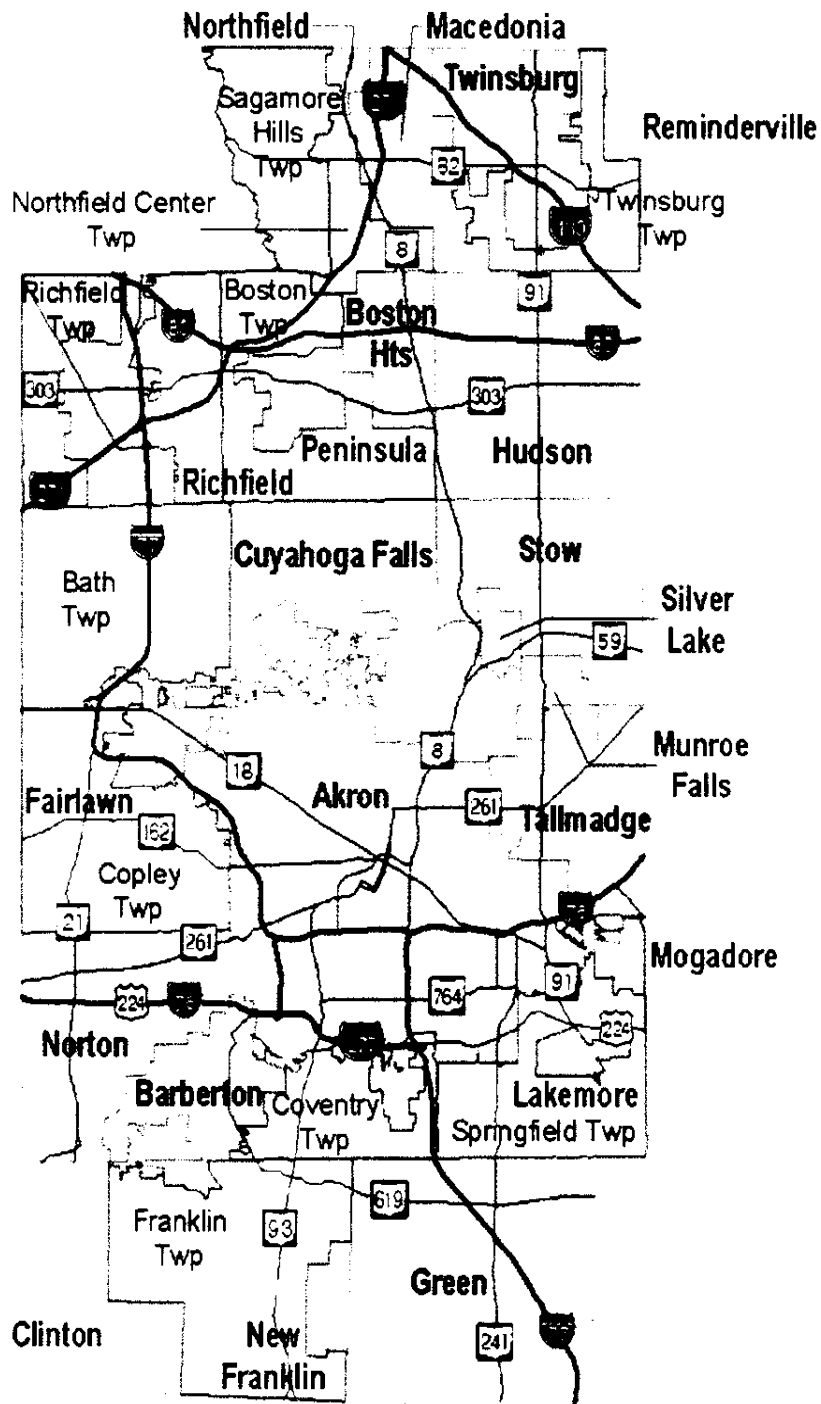


# Ohio County Profiles

Prepared by the Office of Strategic Research

## Summit County

**Established:** Act - March 3, 1840  
**2000 Population:** 542,899  
**Land Area:** 412.8 square miles  
**County Seat:** Akron City  
**Named for:** Highest point along the Erie-Ohio Canal




## Decision Processing Worksheet

Officer Name: George Eberling		Receipt #: W09000170		
Officer Stamp #: 3700		CMB Summit LLC Regional Center		
Form Type: I-924C	Classification:	Division: 3	Team: 1	WS: 24064

Action:				
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> No Record <input type="checkbox"/> Pending Name Check <input type="checkbox"/> Abandonment <input type="checkbox"/> Withdrawal	<input type="checkbox"/> MTR <input type="checkbox"/> Appeal	<input type="checkbox"/> RFE Initial <input type="checkbox"/> RFE Additional <input type="checkbox"/> RFE Initial & Additional <input type="checkbox"/> 30 <input type="checkbox"/> 42 <input type="checkbox"/> 84	<input type="checkbox"/> Revocation <input type="checkbox"/> Auto-terminate <input type="checkbox"/> Auto-revocation <input type="checkbox"/> Relocate	<input type="checkbox"/> Denial <input type="checkbox"/> ITD <input type="checkbox"/> ITR

I-129 H2A Expedite Processing:		
Date Received:	# of Un-Named Beneficiaries:	# of Named Beneficiaries:
Officer Received Date:	AST Action Completed:	

**I-129 PP Processing**    **H-1B CAP**     **Master CAP**

<b>Officer Prepares or Completes</b> (Notice Ordered) RFE    ITD/30    ITR/30 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> _____ (1 <sup>st</sup> Initial & Last Name) _____ (Date & Time)	<b>Clerical/Officer Completes RFE/ITD/ITR</b> (Notice Sent) _____ (1 <sup>st</sup> Initial & Last Name) _____ (Date & Time)	<b>RFE/ITD/ITR Response Received</b> _____ (1 <sup>st</sup> Initial & Last Name) _____ (Date & Time)	<b>Officer Completes Final Decision</b> (Notice Ordered - <u>Approval</u> Denial) <div style="text-align: center;">                       _____                      (1<sup>st</sup> Initial &amp; Last Name)                      JUN 1 2009                      _____                      (Date &amp; Time)                 </div>	<b>Clerical/Officer Completes Final Action</b> (Notice Sent) _____ (1 <sup>st</sup> Initial & Last Name) _____ (Date & Time)
Mailer Enclosed? <b>Y</b> <b>N</b> SCAO Review:	Final Decision:			

Officer's Comment:  
Recommended Approval

Supervisor Review and Comments:

Initials/Date:	2 <sup>nd</sup> Review Initials/Date:	3 <sup>rd</sup> Review Initials/Date:
----------------	--	--

Clerical Processing Completed: Initials/Date:

### File Room Processing

**To: 103 Hold Shelf**  
**Call-Up Date: \_\_\_\_\_**

## Decision Processing Worksheet

Officer Name: George Eberling	Receipt #: W09000175
Officer Stamp #: 3700	CMB Summit LLC Regional Center
Form Type: I-924C	Classification:
Division: 3	Team: 1
WS: 24064	

### Action:

<input type="checkbox"/> Approval <input type="checkbox"/> No Record <input type="checkbox"/> Pending Name Check <input type="checkbox"/> Abandonment <input type="checkbox"/> Withdrawal	<input type="checkbox"/> MTR <input type="checkbox"/> Appeal	<input type="checkbox"/> RFE Initial <input checked="" type="checkbox"/> RFE Additional <input type="checkbox"/> RFE Initial & Additional <input type="checkbox"/> 30 <input type="checkbox"/> 42 <input checked="" type="checkbox"/> 184	<input type="checkbox"/> Revocation <input type="checkbox"/> Auto-terminate <input type="checkbox"/> Auto-revocation <input type="checkbox"/> Relocate	<input type="checkbox"/> Denial <input type="checkbox"/> ITD <input type="checkbox"/> ITR
---	---	--	---	---

### I-129 H2A Expedite Processing:

Date Received:	# of Un-Named Beneficiaries:	# of Named Beneficiaries:
Officer Received Date:	AST Action Completed:	

### I-129 PP Processing    H-1B CAP    Master CAP

<b>Officer Prepares or Completes</b> (Notice Ordered) RFE    ITD/30    ITR/30 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <i>G. EBERLING</i> (1 <sup>st</sup> Initial & Last Name) _____ (Date & Time)	<b>Clerical/Officer Completes RFE/ITD/ITR</b> (Notice Sent) _____ (1 <sup>st</sup> Initial & Last Name) _____ (Date & Time)	<b>RFE/ITD/ITR Response Received</b> _____ (1 <sup>st</sup> Initial & Last Name) _____ (Date & Time)	<b>Officer Completes Final Decision</b> (Notice Ordered - Approval/Denial) _____ (1 <sup>st</sup> Initial & Last Name) _____ (Date & Time)	<b>Clerical/Officer Completes Final Action</b> (Notice Sent) _____ (1 <sup>st</sup> Initial & Last Name) _____ (Date & Time)
Mailer Enclosed? <b>Y</b> <b>N</b>		SCAO Review:	Final Decision:	

Officer's Comment:  
Regular RFE.

Supervisor Review and Comments:

Initials/Date: <i>GGE</i> / JUN 13 2009	2 <sup>nd</sup> Review Initials/Date:	3 <sup>rd</sup> Review Initials/Date:
---	--	--

Clerical Processing Completed: Initials/Date:

### File Room Processing

To: 103 Hold Shelf

Call-Up Date: \_\_\_\_\_ JUN 13 2009



**What is the Immigrant Investor Pilot Program?**

The Immigrant Investor Pilot Program (“Pilot Program”) was created by Section 610 of Public Law 102-395 (October 6, 1992). This is different in certain ways from the basic EB-5 investor program.

The Pilot Program began in accordance with a Congressional mandate aimed at stimulating economic activity and creating jobs for U.S. workers, while simultaneously affording eligible aliens the opportunity to become lawful permanent residents. Through this innovative program, foreign investors are encouraged to invest funds in an economic unit known as a “Regional Center.”

A Regional Center is defined as any economic unit, public or private, engaged in the promotion of economic growth, improved regional productivity, job creation and increased domestic capital investment.

8 CFR 204.6(m)(3) describes the specific evidence that must be submitted before consideration for eligibility for this benefit may proceed. After a review of your proposal in light of these requirements, the following information, evidence or clarification is needed to proceed.

The EB-5 program including the Regional Center or Pilot Program primarily focuses on job creation not general economic growth. Unlike other government programs which may deal in the general financial impact of investment dollars, this program is concerned with the specific impact of investment funds on creating new employment. In order to qualify as a Regional Center, the Regional Center Proposal must show the nexus between the Regional Center and job creation. It must also establish the specific activities relative to each category or industry for which the Center is requesting. Economical analyses and model which address the proposed activities are essential.

It is always best to start with a cover letter that acts as an executive summary followed by a table of contents of the various tabbed sections to follow.

**Indirect Job Creation (8 CFR 204.6(m)(3)(ii)):**

8 CFR 204.6(m)(3)(ii) requires you to:

Provide in verifiable detail how jobs will be created indirectly;

It is imperative to fully explain indirect job creation, as well as the direct and induced jobs, if any. The requirement of creating at least 10 new full-time (35 hours per week) jobs per each individual alien investor may be satisfied by showing that, as a result of the investment and the activities of the new enterprise, at least 10 jobs per alien investor will be created directly or indirectly through an employment creation multiplier effect. For instance, you have provided an economic impact analysis of the EB-5 limited partnership investments in the proposed regional center for [REDACTED] using the IMPLAN model:



(b)(4)

(b)(4)

CMB Summit LLC Regional Center  
W09000170



**Regional Center's Operational Plan – Amount and Source of the Regional Center's Operational Capital (8 CFR 204.6(m)(3)(iii)):**

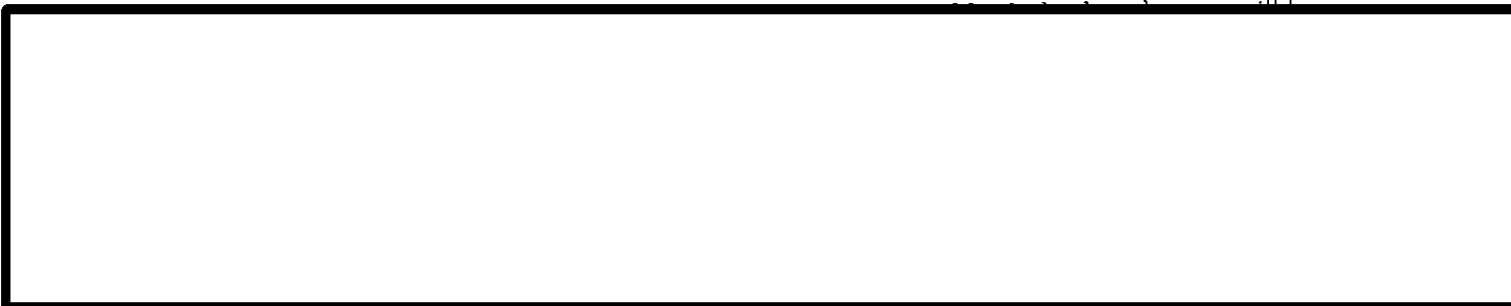
A proposal must include a detailed statement regarding the amount and source of the capital that has been committed to the Regional Center, in addition to the description of the promotional efforts taken and planned by the Regional Center's sponsors. USCIS has interpreted the words, "amount and source of capital that has been committed to the Regional Center" to mean the capital sufficient to sustain the Regional Center distinct from immigrant investors' required capital investment in a new commercial enterprise within the Regional Center.

(b)(4)

The detailed statement that is required to meet the regulatory requirement relating to the amount and source of capital committed to the Regional Center should include:

- the exact amount of funds that have been dedicated to the Regional Center to accomplish the goals of the Pilot Program;
- the source of such funds;
- whether the amount is sufficient to sustain the Regional Center; and
- evidence that the funds have already been committed to the Regional Center.

None of the capital sustaining the Regional Center can come from immigrant investors' required threshold capital investment (as distinct from the new commercial enterprises' revenues). This separation of funds is necessary to enable the alien entrepreneur to qualify for the EB-5 immigrant investor classification.



(b)(4)

CMB Summit LLC Regional Center  
W09000170  
Page 4

**Regional Center's Operational Plan – Recruitment and Due Diligence (8 CFR 204.6(m)(3)(iii)):**

For any individual alien investor who will be solicited by a Regional Center to invest the requisite capital into a Regional Center commercial activity, it will be incumbent on the Regional Center to engage in a due diligence process to establish that all sources of capital can be fully explained and clearly shown to have been lawfully obtained.

**Regional Center's Operational Plan – Promotional Efforts (8 CFR 204.6(m)(3)(iii)):**

USCIS interprets the words “promotional efforts” to mean an advertising or marketing program planned by the sponsors of the Regional Center that is designed to attract immigrant investors to the Regional Center. Regional Center proposals require a full description of the past, current and future promotional activities for the Regional Center. This shall include a description of the budget for this activity as well as a statement as to the source of those funds used to accomplish this necessary task.

**The Business Approach and Structure of the Regional Center (INA 610(a)):**

The business aspects of the Regional Center must be fully explained as to its structure. This aspect of a proposal includes, but is not limited to, the following basic elements or samples of them as applicable to the business approach and structure to be used by the Regional Center:

- An overall Business Plan - mandatory
- Draft Operating Agreement
- Draft Partnership Agreement
- Draft Subscription Agreement
- Draft Escrow Agreements and Instructions (one for capital and one for any service fees). Such agreements usually include an “out clause” in the event of an unsuccessful visa process as a marketing tool<sup>1</sup> but are not required.
- List of proposed reputable financial institutions to serve as the Escrow Agent(s).
- Draft of an Offering Letter, Memorandum, Confidential Private Placement Memorandum, or similar offering made in writing to an immigrant investor through the Regional Center.

<sup>1</sup> **NOTE: Under NO circumstances** may any agreement or document in support of an investor's I-526 petition offer or imply return or reimbursement of his/her capital investment should the subsequent I-829 Petition to Remove Conditions be denied by USCIS. The USCIS considers any such reimbursement provision within the period of an alien investor's conditional residence prohibited by precedent decision in Matter of Izumii.

CMB Summit LLC Regional Center  
W09000170  
Page 5

- Draft Memorandum of Understanding, Interagency Agreement, Contract, Letter of Intent, Advisory Agreement, or similar agreement to be entered into with any other party, agency or organization to engage in activities on behalf of or in the name of the Regional Center.

Evidence relating to the following has not been submitted:



**Administrative Oversight (8 CFR 204.6(m)(6)):**

The law and regulations at 8 CFR 204.6(m)(6), require that an approved Regional Center in order to maintain the validity of its approval and designation must continue to meet the statutory requirements of the Immigrant Investor Pilot Program by serving the purpose of promoting economic growth, including increased export sales (where applicable), improved regional productivity, job creation, and increased domestic capital investment. Therefore, in order for USCIS to determine whether an approved and designated Regional Center is in compliance with the above cited regulation, and in order to continue to operate as a USCIS approved and designated Regional Center, your administration, oversight, and management of your Regional Center shall be such as to monitor all investment activities under the sponsorship of your Regional Center and to maintain records, data and information on a quarterly basis in order to report to USCIS upon request the following year to date information for each Federal Fiscal Year<sup>2</sup>, commencing with the initial year as follows:



**Translations:**

Any document containing a foreign language submitted to USCIS shall be accompanied by a full English translation that the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.

**Copies:**

Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain part of the record, even if the submission was not required.

<sup>2</sup> A Federal Fiscal Year runs for twelve consecutive months from October 1<sup>st</sup> to September 30<sup>th</sup>.

I-924C

Receipt Number: W09-000-170

Regional Center: CMB SUMMIT LLC

General Partner: CMB SUMMIT LLC Requester's Name: LINCOLN STONE

Target  Non-Target  Target & Non-Target

Geographic Area Delineated SUMMIT COUNTY, OHIO

Indirect Job Creation  
 Troubled Business  Non-Troubled Business

→  Model: IMPLAN  
 Economic Analysis of Job Creation  
 Industries: TIRE // HOSPITALITY

- Operational Plan
  - Amount and Source of Regional Center's Capital
  - Recruitment and Due Diligence
  - Promotional Efforts

Regional or National Impact-Economic Analysis

~~Overall Economic Impact-Economic Analysis~~

- Business Approach & Structure
  - Business Plan (Mandatory)
  - Draft Operating Agreement
  - Draft Partnership Agreement
  - Draft Subscription Agreement
  - Draft Escrow Agreement
  - List of Escrow Agents
  - Draft Offering Letter etc
  - Articles of Incorporation etc for Regional Center Operator
  - Other relevant documents \_\_\_\_\_

Administrative Oversight

		Application/Petition REGIONAL CENTER PROPOSAL
Receipt # W09000170		
Notice Date March 19, 2009	Page 1 of 5	Regional Center CMB Summit LLC Regional Center

Lincoln Stone, Esq.  
Stone & Grzegorek, LLP  
800 Wilshire Blvd., Suite 900  
Los Angeles, CA 90017

Request for Evidence

**IMPORTANT: WHEN YOU HAVE COMPLIED WITH THE INSTRUCTIONS ON THIS FORM, RESUBMIT THIS NOTICE ON TOP OF ALL REQUESTED DOCUMENTS AND /OR INFORMATION TO THE ADDRESS BELOW. THIS OFFICE HAS RETAINED YOUR PETITION/APPLICATION WITH SUPPORTING DOCUMENTS.**

**THE INFORMATION REQUESTED BELOW MUST BE RECEIVED BY THIS OFFICE NO LATER THAN EIGHTY-FOUR (84) DAYS FROM THE DATE OF THIS NOTICE. IF YOU DO NOT PROVIDE THE REQUESTED DOCUMENTATION WITHIN THE TIME ALLOTTED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED PURSUANT TO 8 C.F.R. 103.2(B)(13) AND, AS SUCH, WILL BE DENIED.**

WS 24064/CSC3700 DIV III

**RETURN THIS NOTICE ON TOP OF THE REQUESTED INFORMATION LISTED ON THE ATTACHED SHEET.**

**Note:** You are given until JUN 13 2009 in which to submit the information requested.

Pursuant to 8 C.F.R. 103.2(b)(11) failure to submit ALL evidence requested at one time may result in the denial of your application.

For non-US Postal Service  
Attn: EB 5 RC Proposal  
24000 Avilla Road, 2<sup>nd</sup> Floor  
Laguna Niguel, CA 92677

You will be notified separately about any other applications or petitions you filed. Save a photocopy of this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES  
CALIFORNIA SERVICE CENTER  
Attn: EB 5 RC Proposal  
P.O. BOX 10590  
LAGUNA NIGUEL, CA 92607-0526



W09 000 175

## Additional Information for Applicants and Petitioners.

### General.

The filing of an application or petition does not in itself allow a person to enter or remain in the United States and does not confer any other right or benefit.

### Inquiries.

If you do not hear from us within the processing time given on this notice and you want to know the status of this case, use InfoPass at [www.uscis.gov](http://www.uscis.gov) to contact your local USCIS office or call our National Customer Service Center at 1-800-375-5283.

You should follow the same procedures before contacting your local USCIS office if you have questions about this notice.

Please have this form with you whenever you contact a local office about this case.

### Requests for Evidence.

If this notice asks for more evidence, you can submit it or you can ask for a decision based on what you have already filed. When you reply, please include a copy of the other side of this notice and also include any papers attached to this notice.

### Reply Period.

If this notice indicates that you must reply by a certain date and you do not reply by that date, we will issue a decision based on the evidence on file. No extension of time will be granted. After we issue a decision, any new evidence must be submitted with a new application or petition, motion or appeal, as discussed under "Denials".

### Approval for a Petition.

Approval of an immigrant or nonimmigrant petition means that the beneficiary, the person for whom it was filed, has been found eligible for the requested classification. However, approval of a petition does not give any status or right. Actual status is given when the beneficiary is given the proper visa and uses it to enter the United States. Please contact the appropriate U.S. consulate directly if you have any questions about visa issuance.

For nonimmigrant petitions, the beneficiary should contact the consulate after receiving our approval notice. For approved immigrant petitions, the beneficiary should wait to be contacted by consulate.

If the beneficiary is now in the United States and believes he or she may be eligible for the new status without going abroad for a visa, he or she should use InfoPass to contact a local USCIS office about applying here.

### Denials.

A denial means that after every consideration, USCIS concluded that the evidence submitted did not establish eligibility for the requested benefit.

If you believe there is more evidence that will establish eligibility, you can file a new application or petition, or you can file a motion to reopen this case. If you believe the denial is inconsistent with precedent decisions or regulations, you can file a motion for reconsideration.

If the front of this notice states that this denial can be appealed and you believe the decision is in error, you can file an appeal.

You can obtain more information about these processes by either using InfoPass to contact your local USCIS office, or by calling the National Customer Service Center.



<b>RECEIPT NUMBER</b> W09000170		<b>CASE TYPE</b> Regional Center Proposal	
<b>RECEIVED DATE</b> January 22, 2009		<b>REGIONAL CENTER NAME</b> CMB Summit, LLC	
<b>NOTICE DATE</b> February 10, 2009	<b>PAGE</b> 1 of 1		

Lincoln Stone, Esq.  
C/O Stone & Grzegorek LLP  
800 Wilshire Blvd., Suite 900  
Los Angeles, CA 90017

**Notice Type:**

**Receipt Notice**

**Receipt Notice** - This notice confirms that USCIS received your Regional Center Proposal. If any of the above information is incorrect, send an e-mail to: [USCIS.ImmigrantInvestorProgram@dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@dhs.gov). This notice does not grant any immigration status or benefit. It is not even evidence that this case is still pending. It only shows that the application or petition was filed on the date shown.

**Processing Time** - The current processing time for this case is estimated at 120 days. Unlike other case types, verification or tracking of this case is not available electronically or on our website. We will notify you by mail when we make a decision on this case or if we need something from you. If you do not receive an initial decision or update from us within our current processing time, you may send an e-mail to: [USCIS.ImmigrantInvestorProgram@dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@dhs.gov). or contact us at the address below.

**Address Change** - If your mailing address changes while your case is pending, you may send an e-mail to: [USCIS.ImmigrantInvestorProgram@dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@dhs.gov). Otherwise, you might not receive notice of our action on this case.

Please save this notice and a copy of any papers that you send to us along with proof of delivery.

U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER  
Attn: EB-5 RC Proposal  
P.O. BOX 10526  
LAGUNA NIGUEL CA 92607-10526



- *Please save this notice for your records. Please enclose a copy if you have to write us or a U. S. Consulate about this case, or if you file another application based on this decision.*
- *You will be notified separately about any other applications or petitions you have filed.*

---

### ***Additional Information***

#### **GENERAL.**

The filing of an application or petition does not in itself allow a person to enter the United States and does not confer any other right or benefit.

#### **INQUIRIES.**

You should contact the office listed on the reverse side of this notice if you have questions about the notice, or questions about the status of your application or petition. *We recommend you call.* However, if you write us, please enclose a copy of this notice with your letter.

#### **APPROVAL OF NONIMMIGRANT PETITION.**

Approval of a nonimmigrant petition means that the person for whom it was filed has been found eligible for the requested classification. If this notice indicated we are notifying a U.S. Consulate about the approval for the purpose of visa issuance, and you or the person you filed for have questions about visa issuance, please contact the appropriate U.S. Consulate directly.

#### **APPROVAL OF AN IMMIGRANT PETITION.**

Approval of an immigrant petition does not convey any right or status. The approved petition simply establishes a basis upon which the person you filed for can apply for an immigrant or fiance(e) visa or for adjustment of status.

A person is not guaranteed issuance of a visa or a grant of adjustment simply because this petition is approved. Those processes look at additional criteria.

If this notice indicates we have approved the immigrant petition you filed, and have forwarded it to the Department of State Immigrant Visa Processing Center, that office will contact the person you filed the petition for directly with information about visa issuance.

In addition to the information on the reverse of this notice, the instructions for the petition you filed provide additional information about processing after approval of the petition.

For more information about whether a person who is already in the U.S. can apply for adjustment of status, please see Form I-485, *Application to Register Permanent Residence or Adjust Status*.

CONTINUED UNDER

**PART 2 OF 2**

---

(DATE)

DO NOT PLACE ANY MATERIAL  
ON THIS FILE AFTER ABOVE  
DATE

Form M-104  
7-15-59

EO 12958-05

## Department of Development

Ted Strickland Governor  
Lee Fisher Lt Governor  
Director Ohio Department of Development

December 22, 2008

Foreign Trader, Investor and Regional Center Program  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
20 Massachusetts Avenue, NW (Room 2123)  
Washington, DC 20529

### Re: Targeted Employment Areas for Ohio – Metropolitan Update

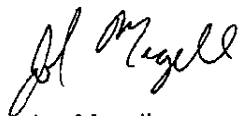
To Whom It May Concern:

The Ohio Department of Development certifies Targeted Employment Areas within the State of Ohio. For Metropolitan Statistical Areas, the Department certifies local governmental agencies submissions of census tracts within their geographies that meet the 150 percent of the U.S. Annual Average Unemployment Rate.

Specifically, The City of Akron and Summit County have jointly identified Census Tracts in the City of Akron and Southern Summit County (List of tracts attached) as a Targeted Employment Area. Upon reviewing the data, these tracts combined exceed the 150 percent of the U.S. Annual Average Unemployment Rate.

If you have questions or concerns about the designated areas in Ohio please contact me directly at 614-466-2116.

Sincerely,



John Magill  
Chief Strategic Officer

cc City of Akron  
Summit County

**Summit County Census Tracts for Targeted Employment Area**

530501	533501	507400	502400	533400	505500	531101
530502	530802	502200	506800	505100	503500	533000
504800	532001	530903	506304	501900	505400	531802
508000	507201	506400	506303	531001	505600	531801
531701	507102	501100	506302	505200	505900	510301
531103	507600	506600	501302	504200	504500	510500
530801	502101	502700	506700	503200	503300	510302
531601	502102	502300	503100	503702	504400	510100
531402	530901	506200	501800	503701	504700	531102
507500	530902	506500	502600	503600	505700	
507203	507202	506900	502800	532003	531002	
510400	533502	502500	503400	532004	503800	
507101	506100	501301	501700	504600	505800	
532202	507300	501200	504100	505300	510200	

## Goodyear announces new HQ in Akron

**Release Date: 12/05/2007**

The Goodyear Tire & Rubber Co., the key component to one of the city's most ambitious development plans ever, ended months of speculation with its announcement Wednesday that it will remain in Akron.

"There was a day when our community took for granted companies large and small. You know, they're here, they're always going to be here. But the world has changed," Akron Mayor Don Plusquellic said.

"So, when a Fortune 500 company today that can operate literally anywhere in the world with technology makes an announcement that they're recommitting to their community, it is a great day in Akron."

As part of a seven-year development project, the world's third-largest tire maker, behind Japanese-owned Bridgestone Corp. and French-based Michelin, will sell its East Akron headquarters complex to a California developer, who in turn will build Goodyear a new headquarters on Martha Avenue.

It is a move designed to keep Goodyear, its international presence and its 2,900 workers in Akron for decades.

Expected to be completed as soon as 2010, the new world and North American tire headquarters will be leased from Industrial Realty Group of California. It is a 20-year lease followed by 11, five-year renewal options held by Goodyear.

Terms between Goodyear and IRG were not released.

IRG, in turn, intends to buy and refurbish Goodyear's old digs along East Market Street and River Road. The developers have visions of new offices, a hotel, shopping, housing and more amenities, including an indoor ice-skating rink.

### Retail complex planned

In addition, IRG is determined to bring a town center-type retail complex to the East Akron area along Martha Avenue.

Partly upscale retail with ornate streets and sidewalks, partly traditional "big box" stores, it could also have two hotels, restaurants, a cinema and a riverwalk park and bike trail along the Little Cuyahoga River to a largely undeveloped east side of town adjacent to Interstate 76.

Developers Stu Lichter and Christopher Semarjian say the project will come in four phases, the first of which begins with construction of Goodyear's headquarters in 2008 and ending with the East Market Street development and related projects that could stretch to 2014.

In the meantime, local government will be ready as needed to install roads, bridges, parks, bike trails and other infrastructure.

Lichter called Wednesday's announcement, with all of its complexity and one-year time constraints, the result of a collective effort of public and private interests.

"From dream to reality in one year, on something as complex as this, is virtually impossible," he said. "Dreams do come true and this is a good day for Akron."

IRG's financial commitment is huge: \$700 million. That figure includes purchasing most of Goodyear's real estate in Akron, refurbishing those facilities, building Goodyear's new headquarters and developing the retail components of the project.

Akron comes next in line in terms of dollars, offering \$101 million, most of which will come through tax incremental financing (TIF), a process that diverts a portion of property taxes to pay for improvements such as roads, bridges, water and sewer works.

As part of its commitment, the city will contribute about 20 acres that came from its purchase this fall of 21 homes off Seiberling Street. Three properties are being pursued through negotiations and eminent domain.

Earlier this week, Ohio announced it was kicking in \$30 million in savings from the commercial activities tax, plus a \$20 million low-cost loan. It has also pledged a \$10 million capital grant.

Summit County has committed \$15 million in the form of five-year, zero interest rate bonds to repay the state loan.

Authorities hope to obtain \$15 million in federal dollars to assist in the project. Another \$5 million has been earmarked from local private interests. And finally, IRG has been offered an \$11 million sales tax savings from the county.

#### Grand announcement

Wednesday's announcement came in grand fashion inside Goodyear's Technical Center, where large windows offered a view of the snow-covered ground expected to soon hold the company's new headquarters.

The company has been in Akron since 1898 and some of its buildings are nearly as old. Goodyear, historians say, is the last symbol of the days when all of the world's major tire makers called Akron home.

Bob Keegan, Goodyear's chairman and chief executive, said the company had remained focused on staying in Akron ever since talks of Goodyear's future developed in April.

Company officials say the tire maker gave Akron until the end of the year to present its offer. They say they had been approached by representatives in Arizona, North Carolina and Virginia.

But they said Akron's offer was so strong, it was not necessary to talk to the Southern cities.

They also said leasing their facilities will allow them to focus on their business and drop concerns of maintaining their own home. Although they would not get specific, Goodyear officials also said breaking the lease at some point down the road would prove "financially disastrous."

The agreement in principle reached and approved by Goodyear's board of directors this week "will keep the company's worldwide headquarters in Akron for decades to come," Keegan said.

#### Deal must close

He described the deal between Goodyear and IRG as tentative, only because the deal has yet to close. It is expected to be finalized in 60 days, once all the funding is completed.

Akron City Council and Summit County Council will be asked next week to approve the first phases of the plan.

Keegan said the new corporate facilities will help the company attract and retain key employees and will be "conducive to the needs of a modern business and for what is a highly competitive global marketplace."

Keegan said the design of the new headquarters will reflect an emphasis on teamwork and integration.

It will also mean the end of "Mahogany Row," the dark, wood-paneled wing where the top executives have worked for decades, he said.

"This (new place) won't be that," he said.

The retail development and hotels are a major part of the project because Goodyear wants a community around its new headquarters, Semarjian said.

He said IRG's marketing studies show there is demand for the kind of retailers they expect to bring in. The company has hired a firm called Bear Creek, a Cincinnati consultant, to help recruit retailers. They would not name any potential suitors.

Lichter and IRG know Northeast Ohio well. The developer, which specializes in revitalizing aging industrial sites, has

owned or been involved in other substantial properties in the area, including Canal Place (the former B.F. Goodrich complex in downtown Akron) and the Lockheed Martin facilities at Akron Fulton International Airport. In addition, IRG expects to close on the former Hoover Co. campus in North Canton in two weeks.

Joe Gingo, an Akron native and Goodyear executive vice president and chief technical officer, is credited with helping forge the alliance between the company, IRG and the government.

"This project has been called the most ambitious development effort in the history of the city of Akron, and this announcement represents a tremendous and truly historic success," Gingo said.

The announcement was attended by a throng of elected and appointed government officials, along with Goodyear workers and executives.

Gov. Ted Strickland hailed the decision as a "great win" for Akron and Ohio.

"This is good for the company, it's great for the city, but it is wonderful for the state of Ohio," Strickland said.

Lt. Gov. Lee Fisher said the financial package is an example of how a deal should be done, a partnership that will "serve as a model for the rest of our administration about how economic development should be done."

"Economic development should be done in a way that there is no landlord-tenant relationship where the government's the landlord and the business is the tenant," he said. "It needs to be a risk-sharing, collaborative partnership, and that's exactly what this is."

FREE Samsung Beat ...Mo

• Complete Forecast | Homepa



SEARCH: Enter Keyword(s)

- HOME
- NEWS
- LOCAL
- SPORTS
- BUSINESS
- FORUMS
- LIVING & TRAVEL

# BUSINESS

Breaking News & More from  
**THE PLAIN DEALER**

Sponsored By:



Join your cause.

- About The Author
- 

### Latest Posts

- 400 to lose jobs at Sofa Express
- LeBron tops Forbes' list of young money-makers
- New Clinic cardio center gets leader
- Goodyear's rebirth forged by private, public leaders
- First Thing Wednesday

### Categories

- Autos (RSS)
- Breaking News (RSS)
- Economic development (RSS)
- Energy (RSS)
- Impact (RSS)
- My First Car (RSS)
- Weekend Diary (RSS)

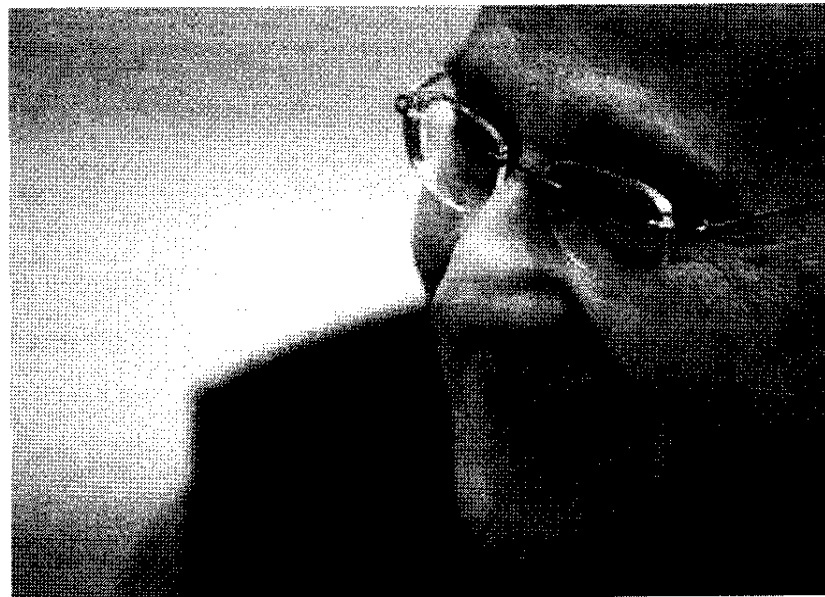
### Favorite Links

- Sheryl Harris: Plain Dealing
- Janet H. Cho: ShopWatch
- Teresa Dixon Murray: Money Matters
- Marcia Pledger: Business Etiquette
- Made Here: Manufacturing spotlight
- My Biggest Mistake: Small business

## Goodyear's rebirth forged by private, public leaders

Posted by [Frank Bentayou](#) December 05, 2007 14:54PM

Categories: Breaking News



Tony Dejak/AP

Stuart Lichter, president and senior managing partner of Industrial Realty Group LLC, plans to redevelop Goodyear's older buildings into stores and restaurants.

A fresh corporate campus for Goodyear Tire & Rubber Co. amid a \$900 million multifaceted Akron development: There's something to satisfy everybody in Wednesday's announcement of a deal to keep the company and 2,900 employees in Akron.

Plus, there is the possibility of creating 2,000 more jobs in a city that has suffered economically for more than 30 years.

Listen to the Goodyear announcement and reaction.



- Ask the Expert: Personal finance
- Weekend Diary podcast
- On the Record video
- PM e-mail newsletter



Or download the file here

**Archived Posts**

Leaders for the company, the city, the developer and the state joined in a medley of thank-yous in revealing details about Goodyear's commitment to remain in Akron.

Industrial Realty Group, a California-based developer, will buy Goodyear's buildings and property as well as additional acreage in an irregular, ink blot-shaped site near the company's longtime home on East Market Street.



It will build new, technology-friendly structures for Goodyear's global headquarters and that of its North American tire division and move the company in by 2010. Then it will rehab the old, vacated brick buildings into loftlike lease space. The 2,000 additional jobs could materialize once IRG leases that square footage.

Akron Mayor Don Plusquellic envisions that at least that many light manufacturing workers, professionals, retail employees and arts and crafts types will lease space in what he foresees as hip, retro work space.

By far, though, the great victory that these four forces claim is pulling together a plan they all said they're happy with -- and doing it in scarcely more than a year.

Bob Keegan, Goodyear's chairman, chief executive and president, has known for years that the company's 19th-century headquarters buildings are inadequate for the 21st-century demands on a multinational Fortune 500 company.

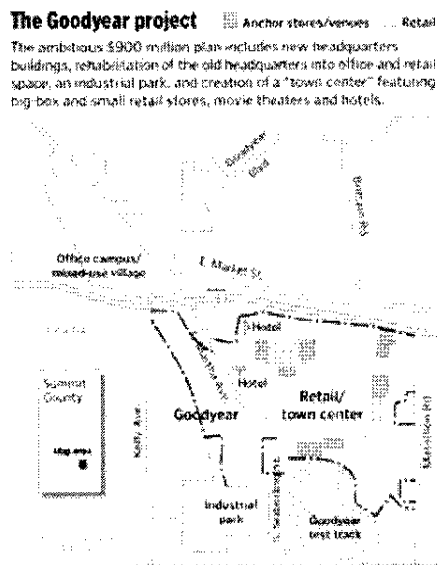
The headquarters was simply too dated and too spread out to allow easy interaction between departments. It's too chopped up, has inadequate meeting spaces, is a nightmare to connect to today's high-tech business tools and, well, is down at the heels, too.

Keegan is a practical guy. He knew that if the company was going to build a new headquarters, it could be anywhere in the country.

The message got out. Plusquellic picked up on it. Consider how blighted his hometown's image would become if Goodyear, the last of Akron's tire makers, left the Rubber City.

Meanwhile, Stuart Lichter, a West Coast developer and principal in IRG, already knew Akron rather well. He had created Canal Place, a successful mixed-use development in another part of town.

Lichter actually molded the retail, residential and office project out of the remains of an old B.F. Goodrich tire factory complex. He caught on about the needs of Akron's core business.



Click graphic for larger version

Goodyear executives, particularly Joe Gingo, executive vice president and chief technical officer, began connecting with Lichter and Plusquellic last fall, considering what could possibly come from transforming the old buildings -- and the ragged neighborhood surrounding them in east Akron.

The mayor knew that keeping a \$20 billion-a-year corporation from fleeing Akron for any number of other places dangling incentives required bigger guns than he could muster.

Ohio's then-new Democratic administration drew into the process, too. Tax breaks, low-interest loans, more grease for the skids could flow from Columbus, helping to make remaining in Northeast Ohio a more attractive possibility for a company that has spent the last year cutting operating costs.

A surprise entry into the group of businesspeople and politicians working on the problem was former Cleveland Mayor Jane Campbell, now managing director of Colliers International, a consulting firm offering "public sector solutions." Her job? "I've been a consultant, helping to pull all the political forces together," she said with a smile.


"Somehow it all came together," Plusquellic said, beaming at Wednesday's announcement.

But as Keegan said in his prepared remarks, the agreement is still a tentative one. Gov. Ted Strickland, though, indicated that the details are all manageable, and Goodyear, which will take a 20-year lease on its new headquarters -- renewable for 35 more -- likely will be in Akron for decades.

During the announcement, held at Goodyear's technical center on Martha Avenue, more details of the planned complex dribbled out, including that it will include a range of real estate uses and urban amenities.

Offices, housing, two hotels and more than a million square feet of retail space will rise on Goodyear's site and nearby property. The retail presence will range from big-box stores to upscale boutiques.

Goodyear's decision is "a milestone for the city's future," Keegan told scores of businesspeople, politicians, Goodyear workers and reporters at Wednesday's announcement.

 | [Permalink \(Learn More\)](#)

Share: [Reddit](#) | [Digg](#) | [del.icio.us](#) | [Google](#) | [Yahoo](#) | [What is this?](#)

## COMMENTS (1)

[Post a comment](#)

Posted by **int9999** on [12/05/07 at 6:25PM](#)

Congratulations on a great decision.

Please, oh please, don't do like BP,

BP was the evolved home of Sohio Gas as founded by Rockefeller, corp headquarters in Cleveland.


Most treacherously, and conveniently, even after blurps of "We will stay

here in Cleveland" they moved.

No more confidence in BP.

Goodyear is part of our national heritage as stationed in Akron. Great you are staying.

Inappropriate? [Alert us.](#)

 [Post a comment](#)

Username (Don't Have a Username? [Sign up here](#)):

Password:

Remember Me

**THE PLAIN DEALER** Receive 2 weeks FREE delivery of The Plain Dealer  
MISS A DAY. MISS A LOT. complete Cleveland Cavaliers & Indians coverage  
now!



Get either 2 or 6 weeks FREE when you subscribe  
delivery of Sun News! Sign up now!

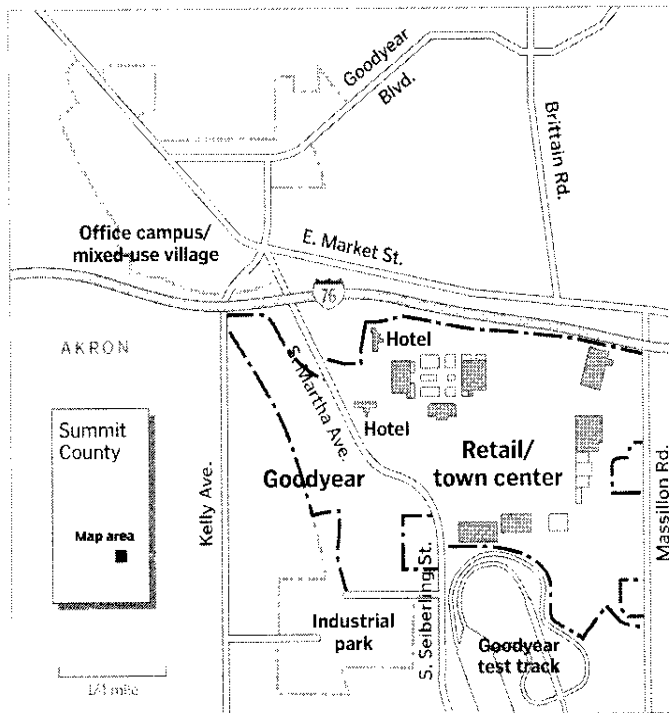
Use of this site constitutes acceptance of our User Agreement. Please read our Privacy Policy

Community Rules apply to all content you upload or otherwise submit to this site. Contact interactive

©2007 cleveland.com. All Rights Reserved. [RSS Feeds](#) | [Complete Index](#)

**The Goodyear project**     Anchor stores/venues     Retail

The ambitious \$900 million plan includes new headquarters buildings, rehabilitation of the old headquarters into office and retail space, an industrial park, and creation of a “town center” featuring big-box and small retail stores, movie theaters and hotels.



## Goodyear Board of Directors Approves Plan To Keep World Headquarters in Akron

23538ms.1207

Tire company and developer reach tentative agreement to build new headquarters and redevelop old facilities for Akron Riverwalk complex.

AKRON, Ohio, December 5, 2007 – The Goodyear Tire & Rubber Company Board of Directors has approved a plan that, when finalized, will keep the company's world headquarters in Akron, Ohio.

The company announced the tentative agreement this morning at a joint press conference with representatives from the Industrial Realty Group, the State of Ohio, the City of Akron and Summit County. The press conference was held at Goodyear's World Technical Center, adjacent to the proposed future site of its new headquarters building.

"I'm pleased to announce we have reached a tentative agreement that will allow Goodyear to continue its 108-year history with the City of Akron and the State of Ohio," said Bob Keegan, Goodyear's chairman and chief executive officer. "These state-of-the-art facilities will reflect the new Goodyear – a place of bold leadership and innovation – and they will inspire future generations of Goodyear associates."

The tentative agreement between Goodyear and IRG calls for Goodyear to sell most of its Akron area property and facilities to IRG. And, IRG will construct a new world headquarters building, a new headquarters for the company's North American Tire business, and make improvements to the company's technical center and research facilities. Goodyear will lease the new buildings and the existing technical center from IRG.

Now that Goodyear's Board of Directors has approved the proposal, Goodyear and the other key groups can begin work on finalizing the necessary details of the purchase and lease agreement which includes securing public funding and other due diligence issues.

"This project has been called the most ambitious development effort in the history of the City of Akron, and this announcement represents a tremendous and truly historic success," said Joe Gingo, Goodyear's executive vice president and chief technical officer. "I cannot say enough about the positive spirit of cooperation between all the groups who helped make this vision a reality."

The proposal timeline includes breaking ground for Goodyear's new buildings in 2008 and moving into the new facilities in 2010.

Separately, IRG has been working with the City of Akron, Summit County and the State of Ohio to create a multi-phase development of other parts of Goodyear's property into a mixed use retail and commercial development – to be called Akron Riverwalk.



Goodyear's current headquarters in Akron, the company's home for all of its 108-year history

*Photo: Bruce Ford, City of Akron*

# Akron's Very Goodyear

Goodyear, Akron's last remaining rubber baron, decides that it won't uproot its 3,500-employee Ohio headquarters, relocating instead at a new local site. But that short move will spark two million sq. ft. (180,000 sq. m.) of additional Akron development and perhaps as many as 8,500 more jobs.

# A

by JACK LYNE, *Site Selection*  
Executive Editor of Interactive Publishing  
[jack.lyne@conway.com](mailto:jack.lyne@conway.com)

Akron, the hometown of basketball star LeBron James, threw down its own economic slam dunk as the 2007 game clock ticked down to an end: The northeast Ohio city rang up a multifaceted US\$900-million venture that could involve as many as 12,000 jobs over a seven-year span.

It was a highlight-reel deal that made for a very good year – a very **Goodyear**, really. That company's 3,500-employee headquarters is the prime catalyst for the city's wide-ranging development: As part of a striking private-public partnership, the world's third-largest tire maker has decided that it won't leave Ohio, staying anchored instead in Akron,



The big three in making the Akron project happen: (left to right) Akron Mayor Don Plusquellic, IRG President and Senior Managing Partner Stuart Lichter, and Goodyear Executive Vice President and Chief Technical Officer Joe Gingo.

*Photo: Bruce Ford, City of Akron*

Goodyear's home for its entire 108-year existence.

"There was a day when our community took for granted companies large and small," Akron Mayor Don Plusquellic said at the Dec. 5<sup>th</sup> announcement of Goodyear's plans. "You know, they're here, they're always going to be here. But the world has changed. So when a Fortune 500 company that can operate literally anywhere in the world with technology makes an announcement that they're recommitting to their community, it is a great day in Akron."

But Goodyear's new 450,000-sq.-ft. (40,500-sq.-m.) world headquarters, built by California developer **Industrial Realty Group (IRG)**, is only the half of it. Much less than half, really, in terms of overall jobs, investment and space in Akron. Goodyear's relocation next year to the new headquarters will tip over a whole stack of related development dominoes: IRG will build and redevelop an additional two million sq. ft. (180,000 sq. m.) that could trigger as many as 9,500 more corporate, retail and service-sector jobs.

"This project has been called the most ambitious development effort in the history of the city of Akron," Goodyear Executive Vice President and Chief Technical Officer Joe Gingo noted at ceremonies at the company's World Technical Center, located adjacent to the new south Akron headquarters site.

"This announcement represents a tremendous and truly historic success," continued Gingo, Goodyear's point man in negotiating the deal that will keep the company rooted in Akron. "I cannot say enough about the positive spirit of cooperation between all the groups who helped make this vision a reality."



Akron Deputy Mayor for Economic Development Robert Bowman

*Photo: Bruce Ford,  
City of Akron*

## 'An Extraordinary Partnership'

That vision couldn't have reached fruition without a very large dose of teamwork, urgently marshaled up to meet Goodyear's challenging deadline.

"The degree of public-private partnership in making this project happen was pretty extraordinary," Akron Deputy Mayor for Economic Development Robert Bowman tells the SiteNet Dispatch. "At times, we had 40 people meeting together in one room."

That single room contained a small squadron of project players. Goodyear was there, of course, as was developer IRG, plus numerous representatives from myriad arms of city, county and state governments.

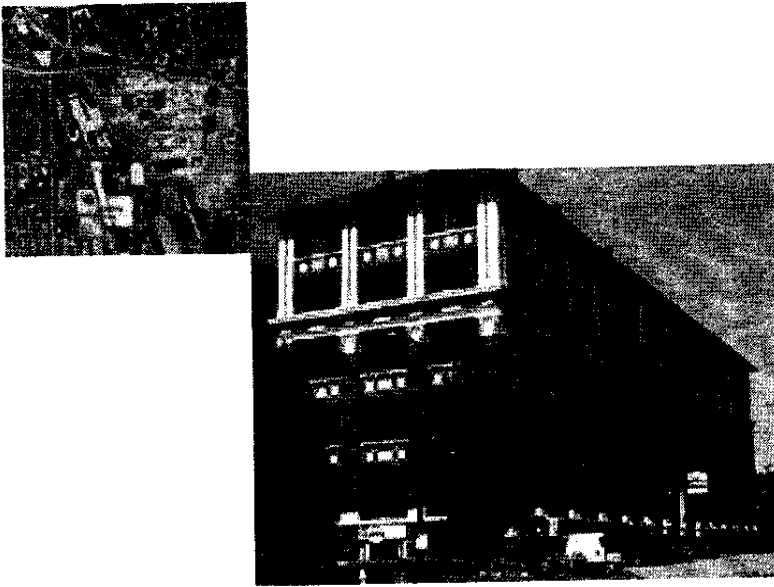
The ambitious venture that galvanized that group started to take shape in late 2006. Goodyear's top officials had known for years that the existing seven-story headquarters and an adjacent six-story facility sorely needed an upgrade. Parts of the north Akron complex were almost 100 years old, and the space was so segmented that it stifled employee collaboration.

In 2006, Goodyear started getting very serious about finding new corporate digs – soon. Chairman and CEO Bob Keegan initiated extensive internal discussions about dramatically improving the headquarters situation.

Somehow – no one is quite sure how – word of Goodyear's discussions leaked out. Downey, Calif.-based IRG was among the first to get wind of the action, and it sprang into action immediately. IRG President and Senior Managing Partner Stuart Lichter quickly contacted Goodyear, outlining an idea like the developer's 2005 deal with Lockheed Martin for 2.1 million sq. ft. (189,000 sq. m.) at Akron Fulton International Airport.

"Stu Lichter is one of those gentlemen who is an opportunist," explains Bowman, who's frequently worked with IRG on local-area projects. "When he sees opportunities, he moves on them. So IRG approached Goodyear with the idea that they could do something similar to what they did with Lockheed. IRG purchased Lockheed's airport buildings, redeveloped them and then leased Lockheed's space (which housed 500 employees) back to the company.





Part of Canal Place, IRG's redevelopment of the former B.F. Goodrich headquarters complex in downtown Akron

*Photo: IRG*

The rest of the space IRG is filling with manufacturing operations."

The developer's Akron track record also includes Canal Place, the downtown redevelopment of the former **B.F. Goodrich** headquarters complex that now houses more than 2,000 workers.

"IRG has done a lot of good for the Akron area," says Bowman. "They know how to develop these older buildings, and they've been very successful at it."

## A Demanding Deadline

Goodyear was already familiar with IRG. The developer several years earlier successfully redeveloped a closed company plant in Huntsville, Ala. Lichter's ideas for an Akron headquarters piqued Goodyear's interest. By early December of 2007, discussions broadened to include first the city and then the state. That team began to flesh out details.

Then in April of last year, the closed-door discussions became very public. Goodyear announced that it would stay in Akron – *if* the city presented an acceptable offer by the end of 2007.

"Our outdated facilities are not conducive to effective and efficient business in today's environment," Goodyear's Gingo said in an April release. "Working with Stu's team, we have initiated a comprehensive study to review the economics, viability and benefits."

Goodyear's end-of-2007 timetable presented a pretty tall order, particularly for a project with so many different parts. The tentative agreement provided that IRG would buy the company's existing north Akron headquarters and the 350-acre (140-hectare) site. Then the developer would build Goodyear's new headquarters on a 280-acre (112-hectare) tract in south Akron, This plan depicts the entire Akron development. The "Office Campus Mixed-Use Village" at the top represents the redevelopment of Goodyear's old campus. South of that lies the company's new headquarters ("Goodyear"), plus the nearby "Industrial Park" and "Office Campus Mixed-Use Village."

*Click the reduced image above to view the plan.*

*Photo: Bruce Ford, city of Akron*

leasing the headquarters back to the company. IRG would also renovate the company's World Technical Center. In addition, the developer would convert Goodyear's four-floor data center into a 1,600-space parking deck for the new headquarters, building a new 1,500-space deck as well.

The two decks, which will cost \$44 million to construct, will be owned and operated by the Summit County Port Authority.

But that was just the tip of the project's outsized iceberg. IRG also plans to develop 1.2 million sq. ft. (108,000 sq. m.) of space around Goodyear's new south-side headquarters, including an industrial park and retail and residential space. That square footage will clearly house a lot of jobs, though officials haven't provided specific projections. In addition, IRG would follow that project by redeveloping Goodyear's current north Akron headquarters into another 800,000 sq. ft. (72,000 sq. m.) of office, retail and apartment space, creating an estimated 2,000 jobs.

That was certainly complicated enough. But the financing for all those multiple parts had to be firmly put in place. IRG has pledged \$700 million for the entire project. If the deal was actually going to fly, though, local, county and state governments had to deliver an additional \$200 million.



### The Akron Project: By the Numbers

- **450,000:** total square footage (40,500 sq. m.) of Goodyear's new world headquarters
- **3,500:** total number of Goodyear jobs retained, including 500 contract workers
- **108:** total number of years in which Goodyear has been based in Akron
- **1.2 million:** total square footage (108,000 sq. m.) of new corporate, retail and residential space that IRG plans to build around Goodyear's new south-side headquarters
- **800,000:** total square footage (72,000 sq. m.) of office, retail and apartment space that IRG plans to redevelop at Goodyear's old headquarters in north Akron
- **12,000:** estimated total jobs that will be created or retained by the multi-part Akron development
- **Seven:** number of years in which all of the scheduled development will be completed

TOP OF PAGE

### Other Suitors Surface

The pending project soon got an extra jolt of urgency. Once news of Goodyear's plans went public, other states came calling to bid for the headquarters, including Arizona, North Carolina, South Carolina and Virginia. The stage seemed set for an all-out recruiting battle, with dueling subsidies a virtual certainty.

But that smoldering war between the states never really got a chance to fully ignite. It couldn't, since Goodyear had resolved to give its long-time hometown a full-scale shot at the project.

"Goodyear was pretty straight up with us," Bowman notes from his Akron office. "They told us that they were not going to enter discussions on their headquarters with anyone else until we went through this process. If we couldn't meet their needs, then they would open the project up."

"Goodyear is an excellent corporate citizen," he continues. "Normally, we don't get those kind of chances."

Capitalizing on that chance, though, was going to require intensive coordination between a host of public and private groups, working under do-or-die pressures.

"Yes, it was a very demanding time frame that Goodyear gave us," says Bowman. "When you have so many parties representing so many entities, that in itself could break down the process."

Leaders in the many organizations involved in the project gave their troops firm marching orders: Pull hard, and pull together. That effort got an added boost from Akron's past.

"We have a history in this community of the public and private sectors working together," Bowman explains. "That's half of the necessary elements. Those two sectors can't be in combative positions. This kind of project wouldn't work in that case."

Jane Campbell, managing director of Colliers International's Public-Sector Solutions division, also played a key role in the venture's intricate coordination. Campbell was very familiar with the thinking of Goodyear's top brass, since Colliers handles much of the company's real estate work. In addition, she knew a lot about Ohio and Akron.



Jane Campbell, managing director of Colliers International's Public-Sector Solutions division

Campbell was mayor of nearby Cleveland from 2002 to 2006, working closely on projects with Akron Mayor Plusquellic, who's been in office for 21 years.

"It helped the Goodyear project work a lot to have the same coordinator working for everyone that was involved," says Bowman. "Jane Campbell understood the process that was going on, and she kept the agenda going."

## The Bid Beats the Clock

In early December the final pieces of the agenda for Akron's bid clicked into place. The Ohio Tax Credit Authority on Dec. 3<sup>rd</sup> offered Goodyear a 27-percent, 15-year tax credit if the company kept 2,900 jobs at its headquarters for the 15 years. (Goodyear at its headquarters currently has 3,000 staffers and 500 contract workers, and it may relocate some other local employees to the new site.) Also on Dec. 3<sup>rd</sup>, the Ohio Development Financing Advisory Council separately approved a \$20-million low-interest loan to help finance the new headquarters' parking decks.

Akron then gave Goodyear its offer. The company examined the bid, and then scheduled a press conference.

"This is a major milestone for the future of Goodyear and the Akron community," CEO Robert Keegan said Dec. 5th. "This . . . will keep Goodyear's worldwide headquarters in Akron for decades to come.

"We didn't do a lot of benchmarking on this," Keegan explained. "But I would say [that] what you'll find over time is that this kind of arrangement will be more and more the norm. We're very choice-ful allocators of capital. So our thinking is, 'Why invest capital in a headquarters building as long as I've got a long-term lease for it?'"



Goodyear Chairman and CEO Robert Keegan (right) shakes hands with Akron Mayor Don Plusquellic after the company announced its plans to stay in the Ohio city.

*Photo: Bruce Ford, city of Akron*

The new headquarters space will emphasize corporate integration and teamwork, he added. Technically, the whole deal is still tentative. It won't be official until all project financing is formalized, which will happen within 60 days of the project's announcement, officials projected. Construction on Goodyear's new headquarters will be completed in 2010, IRG officials estimated. The developer, which has already hired Cincinnati-based Bear Creek to recruit its retail tenants, won't complete all of its construction until 2014.

"From dream to reality in one year, on something as complex as this, is virtually impossible," said Lichter, whose ideas first started the big development ball rolling. "Dreams do come true and this is a good day for Akron."

## 'Project Made Sense for Everybody'

Goodyear seems set to stay in Akron for decades. The company will sign a 20-year lease with IRG on its new headquarters, followed by 11 five-year renewal options. (The financial terms of the lease haven't been made public.) In addition, the assistance that the Ohio Tax Credit Authority approved, which is valued at about \$30 million, includes a clawback provision that Goodyear must stay at the new location for 30 years.

Overall, Bowman estimates that the multi-part Akron venture will involve 12,000 jobs,



Goodyear Executive Vice President and Chief Technical Officer Joe Gingo describes the company's headquarters plans at the project announcement.

*Photo: Bruce Ford, city of Akron*

including Goodyear's 3,500 retained positions. The 12,000-job estimate also includes the projected spin-off development in a large area surrounding IRG's redevelopment of the company's old headquarters.

However you tally the numbers, though, Akron has a dizzy amount of development on tap. And some similar expansions may be sitting out on the near-term horizon, local officials think. "There may be a couple of more projects like this one out there," says Bowman.

Partnerships like the Goodyear deal, he adds, may also become more of a fixture in business expansion.

"In the future for economic development," Bowman says, "with scarce resources, a lot of governments now are getting to a point where they get tapped out by all of the requests made in the competition for private development.

"I think that the private development community is beginning to see that," he continues, "that there's a need for greater participation and a need to be straight up with one another – that I can do this, if you can do that. Rather than just a one-way street of: What are you going to give me?"

Clearly, there's a lot of giving in the Akron project, but it's on a street that doesn't go one way,

but many.

"This project," Bowman concludes, "made sense for everybody."

# Ohio.com

 PRINT THISPowered by 

## Upscale hotel coming to new Goodyear complex

### 125-room Wyndham facility to be built across street from technical center

By Jim Mackinnon  
Beacon Journal business writer

POSTED: 11:43 a.m. EDT, Aug 22, 2008

A 125-room upscale hotel will become part of the new \$900 million Goodyear headquarters complex in East Akron.

A Wyndham hotel will be built on land directly across Martha Avenue from where the Goodyear Technical Center sits, executives from the Akron tire company and from developer Industrial Realty Group confirmed to the Beacon Journal.

Wyndham Worldwide Corp., based in Parsippany, N.J., offers branded hotels and motels for upscale, middle and low-priced segments, aimed at both consumers and business customers. Its upscale brands include Wyndham Hotels and Resorts, Ramada and Wingate.

Goodyear wanted an upscale hotel within walking distance to its new global headquarters campus on Martha Avenue to make it easier for the company's large number of visitors to use.

Work is proceeding to finish the complicated paperwork on the overall project before any ground is broken. Goodyear will lease a new, \$165 million global and North American Tire headquarters as part of the deal, while its current headquarters and other aging buildings along East Market Street and River Street will be sold to California-based IRG, renovated and reused as part of what is being called the Riverwalk Project.

The four-star hotel will include a top restaurant, said Debra Harrell, senior vice president for Industrial Realty Group.

"It's going to be one of the top tier Wyndham properties. We're very pleased about that, because it's quite a coup for Akron to get that," Harrell said.

The hotel could be expanded to as many as 150 rooms; it will be part of a significant retail development area planned as part of the large project.

"We may build another hotel five years down the road," Harrell said. Goodyear's overnight visitors typically now have to drive 12 miles to go to and from the current headquarters and where they are staying, she said.

The Wyndham hotel will be built as part of the first construction phase of the project, Harrell said.

"The first thing that will get done will be the new headquarters building," she said.

The Little Cuyahoga River that runs through the site will be cleaned and reclaimed so that it becomes a focal point for the development, she said.

"The need for conference rooms is huge, so the hotel will get used a lot," said Laura Thompson, Goodyear vice president for business development and an officer of the company. Thompson is spearheading the headquarters project for the company.

Goodyear sees the volume in Akron overnight stays increasing because of the new, nearby hotel, Thompson said.

"The convenience of it is huge for us to have it close by," she said. "We look at it as nothing but good."

While Goodyear's new buildings also will have conference rooms for daily use, the hotel will be able to host extended Goodyear-related meetings and provide meals, she said.

"We possibly could have our annual meeting there," Thompson said. "There's lots of things like that we'll use the hotel for."

Jim Mackinnon can be reached at 330-996-3544 or [jmackinnon@thebeaconjournal.com](mailto:jmackinnon@thebeaconjournal.com).

## Wyndham company profile

**Who:** Wyndham Worldwide Corp.

**What:** A 125-room Wyndham brand hotel will be part of the \$900 million Goodyear headquarters complex in East Akron.

**When:** As part of the first phase in construction of Goodyear's new global headquarters in a project headed by Industrial Realty Group of California, which will take ownership of Goodyear's existing headquarters facilities including the Goodyear Hall, theater and gym.

**Where:** Across Martha Avenue from the current Goodyear Technical Center.

**Brands include:** Wyndham Hotels and Resorts, Ramada, Days Inn, Howard Johnson, Super 8, Baymont Inn & Suites, AmeriHost Inn, Travelodge Hotels.

**Financials:** Revenue in 2007 was \$4.4 billion, up 13 percent from 2006; net income was \$403 million, or \$2.20 per share. As of Dec. 31, the company had about 33,200 employees worldwide, with 10,000 employees outside the U.S. Wyndham's lodging business had approximately 5,700 employees.

**History:** Company shares began trading in 2006. Wyndham previously was owned by Cendant Corp, which spun off the lodging and hospitality business.

**Source:** Beacon Journal research.

### Find this article at:

[http://www.ohio.com/news/top\\_stories/27275379.html](http://www.ohio.com/news/top_stories/27275379.html)

Check the box to include the list of links referenced in the article.

Copyright © 2008 Ohio.com



Print

## Summit Gets Goodyear Project Funds

**Link to original ANN story**

*may be necessary for full page functionality*

10/8/2008 6:19:05 PM | Craig Simpson

The Ohio Department of Development has awarded the Summit County Port Authority a \$284,007 Clean Ohio Assistance Fund grant to perform a Phase II Environmental Assessment on the Goodyear Existing Headquarters Area Redevelopment property.

Press release:

Upon completion of the Phase II assessment the area will be redeveloped to include residential, retail and commercial offices.

Leaders from across the State of Ohio respond with praise and anticipation for this project.

"The Clean Ohio Assistance Fund grant will help revitalize Summit County's local community by helping the Port Authority conduct an environmental assessment of the Goodyear Redevelopment property," said Lt. Governor Fisher, who also serves as Director of the Ohio Department of Development. "To date, Clean Ohio Assistance Fund grants have been awarded to more than 100 projects throughout our state. We are pleased to support the Summit County Port Authority's project, which will continue to grow and strengthen Northeast Ohio's physical assets."

"Summit County appreciates the State of Ohio's investment in brownfield redevelopment and the Clean Ohio Assistance Fund grant will help with an important aspect for the Goodyear project, revitalizing the surrounding neighborhood. Revitalizing neighborhoods benefits everyone in the community adding to the quality of life for all of us," said Summit County Executive, Russ Pry.

"Complexity and size of project necessitate we have a variety of resources at hand. That is why this funding is vital. It helps the Port Authority and local units of government in their commitment to build the Goodyear corporate campus, and future surrounding environments." - *Akron Deputy Mayor for Economic Development, Robert Y. Bowman*

Maintaining Goodyear in Akron, Ohio is of the highest importance to the Summit County Port Authority as well as the City of Akron, Summit County, and the State of Ohio. Only through collaboration and communication were all partners able to achieve success.

*Source: Summit County Port Authority*

Content © AkronNewsNow.com. All rights reserved.



Powered by Clickability

## Akron council approves first project for Goodyear headquarters

### Two sewer lines to be moved for \$4.5 million

By John Higgins  
Beacon Journal staff writer

POSTED: 10:52 p.m. EST, Nov 10, 2008

The Akron City Council approved the first improvement project for the new Goodyear Tire & Rubber Co. headquarters Monday.

The project includes moving two sewer lines about 1,500 feet to bypass a proposed upscale hotel and parking deck on Martha Avenue.

Relocating the lines — a 96-inch CSO (combined sewer overflow) and a separate 24-inch sanitary sewer — will cost about \$4.5 million. The work is expected to begin Dec. 1.

The nearly \$900 million East Akron redevelopment project involves building new global and North American headquarters for Goodyear, creating a nearby retail center and redeveloping Goodyear's old headquarters and other buildings.

Industrial Realty Group of California, the project developer, has pledged \$700 million of the project cost, and government will cover the rest through tax breaks, loans and grants.

The city is contributing about \$101 million, mostly through tax increment financing, which diverts income from the incremental increase in property value from the new development to pay back the city's investment in improving the property.

Also Monday, the council scheduled a public hearing Nov. 17 for another economic development project involving Bridgestone Firestone. The tire maker is building a new technical center in Firestone Park.

The public will be invited to comment on the South-Wilbeth Urban Renewal Area blight report and development plan — documents that authorize the city to use eminent domain, if necessary, to acquire and redevelop property.

A vacant transmission shop at South Main Street and West Wilbeth Road and some blighted apartment buildings and houses — most of them empty — will be razed as part of a plan to bring new retail, commercial, entertainment, recreational and residential development to the neighborhood.

The council also Monday approved the issuance of nearly \$19 million in bond anticipation notes — a short-term financing option — to pay for building renovations, fire and police vehicle purchases, parks and recreation improvements and street work previously approved by the council.

Finance director Diane Miller-Dawson explained to the council's budget and finance committee that the city was issuing promissory notes for its annual fall general obligation debt sale instead of bonds because of poor municipal bond market conditions.

She expects the one-year bond anticipation notes will have a 3 percent interest rate. She estimated the bond interest rate would have been 6.5 percent.

The city will have the option of converting the notes into longer-term, fixed-rate bonds when market conditions improve.

---

John Higgins can be reached at 330-996-3792 or [jhiggins@thebeaconjournal.com](mailto:jhiggins@thebeaconjournal.com).

**Find this article at:**

[http://www.ohio.com/news/break\\_news/34242659.html](http://www.ohio.com/news/break_news/34242659.html)

Check the box to include the list of links referenced in the article.

Copyright © 2008 Ohio.com



- [depts](#)
- [phones](#)
- [e-mail](#)
- [calendar](#)
- [attractions](#)
- [news releases](#)
- [links](#)
- [new](#)
- [welcome!](#)
- [news archives](#)

[www.ci.akron.oh.us](http://www.ci.akron.oh.us)

[city news](#)

[health bulletins](#)

[police & fire](#)

[traffic alerts](#)

**2008 City of Akron NEWS Releases**  
from the desk of [Mark Williamson](#)

**Akron receives \$2 million from State of Ohio for Goodyear Headquarters Project**

(11/13/08) - Lieutenant Governor Lee Fisher today announced the award of \$2 million towards the construction of a new Goodyear Tire & Rubber Co. headquarters building and a research and development facility in Akron, part of \$46 million in Job Ready Sites program grants announced today for projects throughout the state.

"This grant demonstrates the confidence that Governor Strickland and Lt. Governor Fisher have in Akron," said Mayor Don Plusquellic. "Keeping Goodyear's headquarters and North American Tire Division in Akron has been a high priority for all of us."

According to the press release from the Ohio Department of Development, the Job Ready Sites program is a competitive funding program designed to increase the supply and quality of Ohio's inventory of available sites and facilities served by utilities and transportation infrastructure.

Mayor Plusquellic and Summit County Executive Russ Pry led a team of public and private representatives to assemble funding that will lead to nearly \$1 billion in development at and around the Goodyear headquarters site in East Akron.

**END**

questions or comments [willima@ci.akron.oh.us](mailto:willima@ci.akron.oh.us)  
330-375-2538 Phone | 330-375-2335 Fax



Powered by Clickability

## Goodyear project gets grant

### State awards \$2 million for new headquarters and research center in Akron. North Canton Hoover complex plan receives \$5 million

Published on Friday, Nov 14, 2008

Beacon Journal staff report

The Goodyear headquarters project will receive \$2 million in state funding and the North Canton Hoover Campus Redevelopment Project will receive \$5 million, the state government announced Thursday.

The grants are part of \$46 million in "Job Ready Sites" program funding and \$4.5 million in infrastructure funding available through the Ohio Department of Development. The funding is aimed at helping with utilities and transportation infrastructure at commercial sites throughout the state.

The state said a \$2 million grant will help with the construction of a new headquarters building and research and development center for Goodyear Tire & Rubber Co. in Akron. The new headquarters is part of a massive \$900 million redevelopment plan for the current Goodyear campus and East Akron neighborhood.

The \$5 million grant for the North Canton project will help with the development of the former Hoover Co. headquarters and factory complex.

The redevelopment calls for 150,000 square feet of office space; 300,000 square feet of manufacturing space; 250,000 square feet of distribution space, and 40,000 square feet of retail and live-work space.

Stuart Lichter, head of California-based Industrial Realty Group, is the private developer involved in both the Goodyear and Hoover projects.

At least two other area projects that applied for grant money were rejected in this round of awards.

The cities of Cuyahoga Falls, Hudson and Stow had been jointly seeking a \$5 million grant to help acquire and improve a site off state Route 8 near the future Seasons Road interchange.

The communities are trying to lure a new 100-bed hospital that a group of local doctors and Summa Health System want to build in northern Summit County.

Those efforts will continue, despite the lack of state funding for the site acquisition and improvement, said Cuyahoga Falls Development Director Susan Truby. The city's development department led the grant application efforts.

"I believe our project should have received the highest points for regionalism at its best," Truby said.

"I'm certain the project will still move forward, because all three communities are very excited about it."

A final decision hasn't been made about the exact location for the proposed hospital, but the joint economic development zone being pushed by the three cities "is very attractive to us," Summa spokesman Mike Bernstein said.

The state's decision not to fund the grant "will have no impact on our choice of the site of the hospital," Bernstein said.

The Barberton Community Development Corp. also had sought nearly \$4 million to help purchase property and put in a road and utilities for a potential home for a multinational manufacturing company.

This year's application marks the second time in two years the development group has tried unsuccessfully for state funding for the project, called "Lakeside Industrial Site."

"We're certainly disappointed we didn't get selected," said Larry Lallo, the development group's executive director. "But there were a lot of good projects we're competing against. We're going to keep trying. . . . The site is still important to us and, I think, to the region. We don't want to let the opportunity go by. It will just take us a lot longer."

**Find this article at:**

<http://www.ohio.com/news/34445954.html>

Check the box to include the list of links referenced in the article.

Copyright © 2008 Ohio.com

**DEVELOPMENT AGREEMENT**

**Among**

**CITY OF AKRON, OHIO**

**And**

**SUMMIT COUNTY, OHIO**

**And**

**IRG RUBBER CITY, LLC**

**Dated: December 3, 2007**

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)


(b)(4)

(b)(4)

(b)(4)

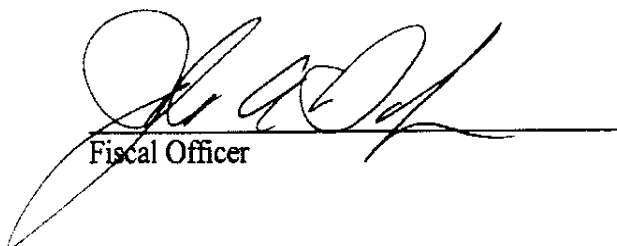
**CERTIFICATE OF DIRECTOR OF FINANCE**

The undersigned, fiscal officer of the City, hereby certifies that the money required to meet the obligations of the City during the year 2007 under the foregoing Agreement has been lawfully appropriated by the Council of the City for such purposes and is in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

  
\_\_\_\_\_  
Director of Finance

**CERTIFICATE OF COUNTY FISCAL OFFICER**

The undersigned, Fiscal Officer of the County, hereby certifies that the money required to meet the obligations of the County during the year 2007 under the foregoing Agreement has been lawfully appropriated by the Council of the County for such purposes and is in the treasury of the County or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.



Fiscal Officer

## SCHEDULE OF EXHIBITS

The following exhibits are attached to this Agreement and incorporated herein by reference.

EXHIBIT A – SITE PLAN

EXHIBIT B – PHASING PLAN

EXHIBIT C – FUNDING CHART

EXHIBIT D – PROJECT TIMETABLE

EXHIBIT E – DEVELOPMENT AND RETENTION AGREEMENT



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)





(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

PROJECT TIMETABLE

	2007				2008				2009				2010				2011				2012				2013			
	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q
<b>Phase 1</b>																												
Harwick																												
Micropolis																												
Airkm																												
Data Center Improvements																												
Tech Center Improvements																												
Tech Center Parking Deck																												
New HQ Parking Deck																												
Goodyear New HQ																												
Environmental Phase 1																												
Environmental Phase 2																												
Environmental Remediation																												
Geotechnical Surveys																												
Roads																												
R-02 (Martha-Seiberling)																												
Massillon Rd																												
Utilities																												
Storm Water																												
Power Plant Decommissioning																												
<b>Phase 2</b>																												
Surface Parking																												
Restaurant																												
Equiem Retail																												
Industrial Park																												
Environmental Phase 1																												
Environmental Phase 2																												
Environmental Remediation																												
Geotechnical Surveys																												
Storm Water Detention																												
Roads																												
Move Seiberling Water Main																												
Martha Ave Improvements																												
R-01																												
R-02 (Seiberling-Massillon)																												
R-04																												
R-05																												
R-06																												
Storm Water																												
<b>Phase 3</b>																												
Cinema																												
Hotel																												
River St Parking																												
Retail																												
Restaurants																												
Goodyear Reuse																												
Goodyear Residential																												
Environmental Phase 1																												
Environmental Phase 2																												
Environmental Remediation																												
Geotechnical Surveys																												
Roads																												
R-01																												
Utilities																												
Storm Water																												
<b>Phase 4</b>																												
Test Track Residential																												
Environmental Phase 1																												
Environmental Phase 2																												
Environmental Remediation																												
Geotechnical Surveys																												
Roads																												
Road R-03																												
Utilities																												
Storm Water																												

(b)(4)


(b)(4)



(b)(4)

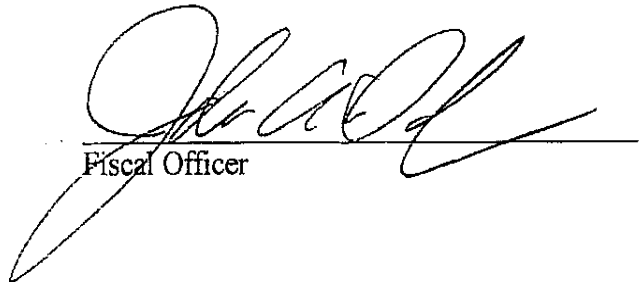
## CERTIFICATE OF DIRECTOR OF FINANCE

The undersigned, fiscal officer of the City, hereby certifies that the money required to meet the obligations of the City during the year 2007 under the foregoing Agreement has been lawfully appropriated by the Council of the City for such purposes and is in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

  
\_\_\_\_\_  
Director of Finance

## CERTIFICATE OF COUNTY FISCAL OFFICER

The undersigned, Fiscal Officer of the County, hereby certifies that the money required to meet the obligations of the County during the year 2007 under the foregoing Agreement has been lawfully appropriated by the Council of the County for such purposes and is in the treasury of the County or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.



Fiscal Officer

(b)(4)


(b)(4)

(b)(4)

(b)(4)

## CERTIFICATE OF DIRECTOR OF FINANCE

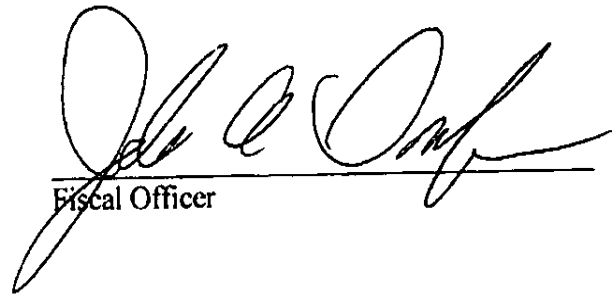
The undersigned, fiscal officer of the City, hereby certifies that the money required to meet the obligations of the City during the year 2009 under the foregoing Modification has been lawfully appropriated by the Council of the City for such purposes and is in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

  
\_\_\_\_\_  
Director of Finance



## CERTIFICATE OF COUNTY FISCAL OFFICER

The undersigned, Fiscal Officer of the County, hereby certifies that the money required to meet the obligations of the County during the year 2008 under the foregoing Amendment has been lawfully appropriated by the Council of the County for such purposes and is in the treasury of the County or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.



Fiscal Officer

## SCHEDULE OF ATTACHMENTS

The following exhibits are attached to this Modification and incorporated herein by reference.

ATTACHMENT 1 - FUNDING CHART

ATTACHMENT 2 – POTENTIAL FUNDING SHORTFALL FOR PHASE 1 a., b. and f.

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)



(b)(4)

(b)(4)

Economic and Fiscal Impact on the City of  
Akron and Summit County

---

**AKRON RIVERWALK**

---

Prepared for  
**City of Akron and IRG, LLC.**

April 2007

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

**CITY OF AKRON  
CORF CLEANUP GRANT APPLICATION  
FUTURE GOODYEAR HEADQUARTERS AND IRG HOTEL PROPERTY**

**Notice of Public Meeting and Information Repository for a Clean Ohio  
Revitalization Fund Grant**

The City of Akron is applying for a grant from the Clean Ohio Revitalization Fund to clean up the former Akron Goodyear Powerhouse and nearby properties located at 200 South Martha Avenue. The application is available for review at the Akron-Summit County Public Library – Goodyear Branch located at 60 Goodyear Boulevard until October 15. A public meeting to discuss the project and solicit comments will be held on October 15 at the Goodyear Branch Library, 60 Goodyear Boulevard, at 5:00 p.m. Application information is also available online at [www.ci.akron.oh.us](http://www.ci.akron.oh.us). Any questions may be referred to Mark Albrecht at (330) 375-2133.

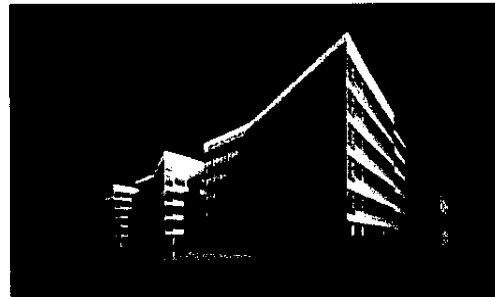
**Project Contact:**

Mark Albrecht, 166 South High Street, Suite 503, Akron, Ohio 44308-1653  
(330) 375-2133; [albrema@ci.akron.oh.us](mailto:albrema@ci.akron.oh.us)

City of Akron's Clean Ohio Revitalization Fund Round 5 Application  
Future Goodyear Headquarters and IRG Hotel Property

**Attachment A1**  
Application Summary Document

**1. Goal of the project:** The City of Akron is seeking financial assistance from the Clean Ohio Revitalization Fund (CORF) to complete demolition and environmental remediation activities at the Goodyear Tire & Rubber Company's former powerhouse and nearby properties. The City will work closely with its development partners, IRG Rubber City, LLC and IRG Hospitality Akron, LLC, to implement this grant and to transform an antiquated 25.288-acre portion of the Goodyear campus into a state-of-the-art headquarters complemented by a luxury hotel, conference center and spa.



Proposed Goodyear Headquarters

IRG Rubber City, LLC and IRG Hospitality Akron, LLC will build the new Goodyear Global and North American Headquarters and a new Wyndham Grand Collection Hotel, respectively, on the 25-acre project property. This CORF project will result in the conversion of a mostly obsolete industrial complex into 550,000 ft<sup>2</sup>, \$105 million modern, high tech office and manufacturing facility. IRG Rubber City, LLC will have a long-term lease with Goodyear (20-year lease with 11 five-year renewal options). This project helps retain approximately 2,900 jobs at Goodyear with an approximate annual payroll of \$260 million.



IRG's plans for the Wyndham Grand Collection Hotel

The 20,000 ft<sup>2</sup>, \$17.5 million, world-class 125-room hotel and spa will create approximately 125 full and part-time positions. This Wyndham Grand Collection hotel is Wyndham's top tier hotel and will serve the demand by Goodyear employees and guests as well as the public. IRG expects a 70%

occupancy rate for the first year at an average daily rate of \$125 per room. IRG expects this facility to be constructed and operating by late-2010 and will manage the operations of this hotel. With an initial evaluation of four positions at the hotel, the average wage for the anticipated 125 jobs is \$21,000. The pre-opening budget and employee wages will be determined once the final design is approved and more plans are solidified.

The project area, located in the heart of Akron's manufacturing district, adjacent to Interstate 76, and just two miles southeast of Akron's central business corridor, includes Goodyear's nearly century-old, 48,125 ft<sup>2</sup> powerhouse and its Tech Center's A and B and a portion of an employee parking space. CORF funds are needed to help complete a partial demolition of the powerhouse and to address environmental legacies by abating asbestos-containing material (ACM) and general waste and remediating soils in the project area to prepare the property for redevelopment.

City of Akron's Clean Ohio Revitalization Fund Round 5 Application  
Future Goodyear Headquarters and IRG Hotel Property

IRG Rubber City, LLC has comprehensive plans in place and activities underway to transform nearly 600 acres of Goodyear's entire Akron-based complex and other nearby properties into a mixed-use development that includes the project area, a town center that will include office, retail and residential space, as well as a new industrial park. Moving and updating the Goodyear headquarters and constructing a new, state-of-the-art hotel nearby, is a key aspect of the overall project estimated as an \$800 million private and public investment.

Goodyear, the first of several Akron-based rubber manufacturers that helped Akron earn the title of the world's rubber capital, has been rooted in Akron since 1898, when founder, Frank Seiberling, established the company. As the City's largest employer, Goodyear is not just part of the City's foundation, by virtue of this ambitious and thoughtful development project by a team of renowned development partners and with the help of the City of Akron and the State of Ohio, Goodyear will remain a cornerstone of the City's future.

**Economic Benefit:** A CORF award will help finance demolition and cleanup activities necessary to prepare the property for construction of Goodyear's 550,000 ft<sup>2</sup> headquarters and the 20,000 ft<sup>2</sup> Wyndham Hotel. With these two major developments, this CORF project will lead to the retention and creation of at least 3,025 jobs with a combined annual payroll of \$262,625,000, an average annual salary of \$86,818 and an average hourly wage of \$41.74. This is more than twice the average hourly rate for jobs in Summit County.

As the largest employer in the City, Goodyear has an annual payroll of \$260 million and an indirect annual economic output of over \$745 million to the region and state of Ohio. This is the cornerstone project of our grand \$800 million Goodyear Redevelopment project that is essential to the City of Akron and the State of Ohio. Recently the Goodyear Tire & Rubber Company was recognized as one of America's most respected companies by the Reputation Institute and Forbes magazine. This recognition was based on a consumer opinion survey, which measures the overall respect, trust, esteem, admiration, and good feelings consumers hold toward the world's largest companies. With the State of Ohio's assistance, this redevelopment project will facilitate the clean up of environmental legacies from more than a century of industrial use and convert the property into a sleek, modern headquarters for a company whose presence is critical to the City of Akron and many other cities around the globe.

**Community Benefit:** Redevelopment of this CORF project area is a key component of the \$800 million Akron Goodyear redevelopment project that will transform many underutilized properties into higher and better uses and create and retain more than 3,000 jobs. Some of these new employment opportunities will be high paying professional and manufacturing positions that will help bring many of the region's skilled professionals and laborers back to work. This project will also help improve the quality of life for many of Akron's minority and low-income populations.



City of Akron's Clean Ohio Revitalization Fund Round 5 Application  
Future Goodyear Headquarters and IRG Hotel Property

This CORF project is in a distressed area that has the highest unemployment and poverty rates in the City of Akron. Census 2000 showed about one-third of the population near the project area represents minority groups (similar to the rest of the City) and has a lower level of educational attainment than the City as a whole. The Akron Goodyear redevelopment plans will help to improve the standard of living and quality of life of many disadvantaged citizens through job opportunities; neighborhood reinvestment that will prompt improved living conditions, safety and property values; and new venues for housing, shopping, entertainment, and recreation.

CORF cleanup activities will lead to the direct implementation of the recommendations made by the City's Eastgate Urban Renewal Plan that identifies goals to eliminate blight, encourage orderly new development, establishes plans to guide development, and encourages community reinvestment. Redevelopment of the CORF property will lead to improved conditions in nearby neighborhoods and increased tax revenues for the Akron Local School District, City of Akron, Summit County, and State of Ohio.

**Other Funding Sources for the Project:** IRG Rubber City, LLC is providing the match to this CORF grant request. IRG Rubber City, LLC has a purchase agreement with Goodyear and intends to purchase the CORF property in fall 2008. The acquisition cost of \$1,474,518 for the 25.288-acre CORF project property is based on a pro-rata allocation of the purchase price of a larger sale of real estate from Goodyear to IRG. IRG commits to fund the entire \$1,447,518 acquisition. IRG Rubber City, LLC will purchase environmental insurance for this property at an anticipated cost of \$520,000. In addition, IRG Rubber City, LLC has committed to funding \$203,538 in demolition cost and \$17,000 of construction management fees. These investment are also considered a CORF grant match. Goodyear has incurred \$83,983.55 in expenses between October 2006 and July 2008 to complete mercury, asbestos, and lead-based paint abatement and disposal activities. That value is also part of the CORF match.

IRG Rubber City, LLC and IRG Hospitality Akron, LLC plan to invest approximately \$122.5 million in building construction, tenant improvements and site improvements on this property, with capital provided through private conventional financing. IRG has an excellent credit rating and a solid track record for fulfilling their financial commitments. Public financial assistance is planned for some of the infrastructure improvements for this project area and the surrounding development.

**2. History of the Project Property:** The CORF project area consists of approximately 25 acres of industrial property owned and operated by Goodyear for the production of tires. Tire manufacturing began in 1898 and by 1916 Goodyear was the world's largest tire manufacturer. As part of a nearly 600-acre Goodyear campus, Goodyear used this 25-acre portion of the property for generating power and for rubber production and tire manufacturing, as well as rim and tire storage and chemical storage and handling.

The power house buildings were constructed in the 1910s and 1920s. The power house shut down in February 2007, though some operations are still controlled through an interior switch room. All power house buildings, except the switch room, will be

City of Akron's Clean Ohio Revitalization Fund Round 5 Application  
Future Goodyear Headquarters and IRG Hotel Property

demolished following asbestos abatement and removal of general waste to prepare the property for the future Goodyear headquarters construction. Tech Centers A and B have housed production and storage areas, laboratories, training and testing facilities, and offices since the early 1900s. Coal piles were stored immediately south of the power house and fuel oil was stored in the power house basement. Rail lines, which are no longer present on the property, were used to deliver raw materials and product to and from the property. Tech Center A currently serves as Goodyear's World Center for Research and Development and houses engineering and executive offices, tire manufacturing, tire storage, oil storage, and training areas. Current operations will be maintained in this building under the lease arrangement between IRG Rubber City, LLC and Goodyear. Tech Center B has traditionally been used for manufacturing and laboratory testing facilities and will be converted to a 1,500 to 1,600-space parking deck. Floors five and six will be a separate condominium unit that will be renovated for Goodyear office space. The parking deck will support the Goodyear Headquarters project and planned mixed use development in the project area.

**3. Environmental Improvements and Benefits:** The quantity of ACM in the former Goodyear power house is estimated to exceed 2.5 acres of surfacing material and over two miles of piping insulation. The power house was vacated in 2007 and, if not properly maintained, ACM may begin to delaminate from the various substrates, causing a potential fiber release both interior and exterior to the building. The removal of ACM, and subsequent demolition of the building, will effectively eliminate the potential release of hazardous materials to the environment. Soils exhibiting problematic concentrations of lead, total petroleum hydrocarbons, 1,2,4-trimethylbenzene, and other various volatile organic compounds, will be removed from the property and disposed at a licensed disposal facility. In some cases, concentrations of chemicals of concern exceed the Ohio Voluntary Action Program's generic residential direct contact standards by over 20 times. These soils will be remediated to address potential human exposure.

**4. Project's Readiness to Proceed if Funded:** The City of Akron and IRG are ready to begin this project immediately upon receipt of a final cooperative agreement with the State of Ohio. The City anticipates hiring the VAP Certified Professional and IRG will manage the bidding and contract administration for the other CORF-related activities in accordance with CORF procurement requirements. We expect all grant-related activities to be completed within 30 months of project start. CORF-funded activities will take place quickly because land acquisition will already be complete by the time of CORF award and because this project does not include any lengthy permitting requirements. It is anticipated that asbestos abatement and general waste disposal can be completed within the first year of the grant agreement. Excavation and off-site disposal of soil exceeding cleanup limits is expected to occur concurrently with asbestos abatement work. Demolition is expected to start in the second year of the project and take six months to complete. Demolition is to include crushing of concrete, and backfilling and compaction of any excavations. Remedial and demolition activities will be documented in a No Further Action Letter expected to be completed in the months following demolition.

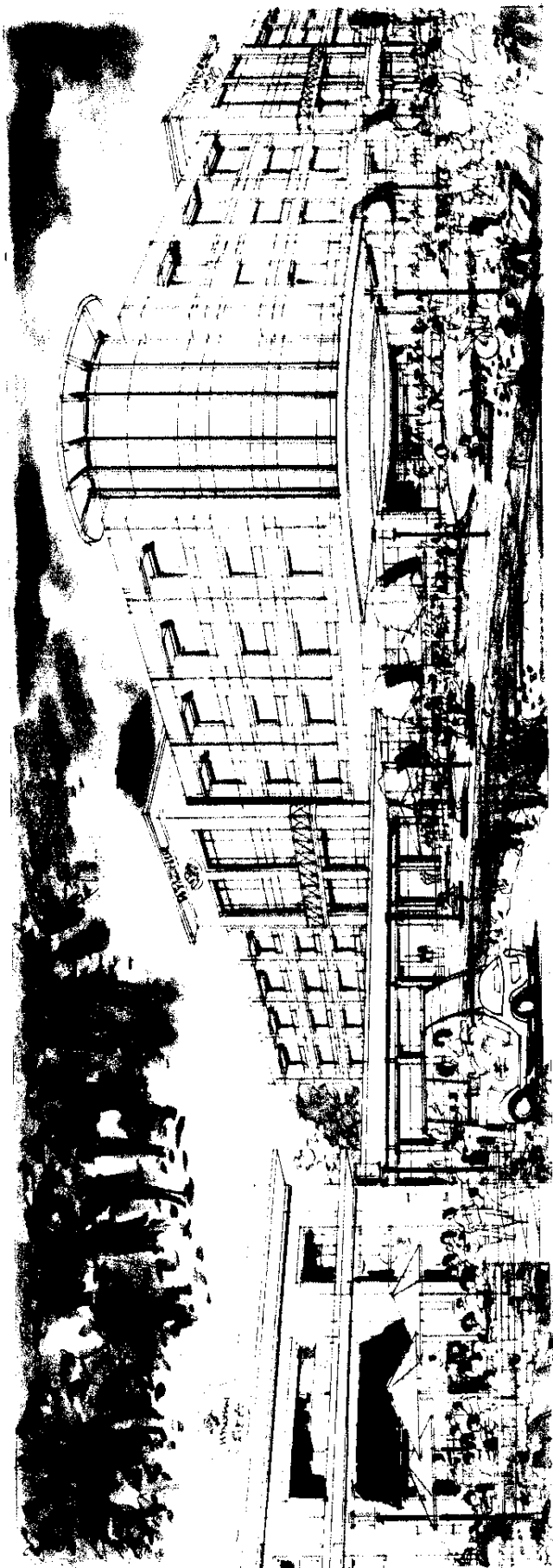
# Goodyear New World Headquarters



# Goodyear New World Headquarters



Wyndham Grand Collection Hotel

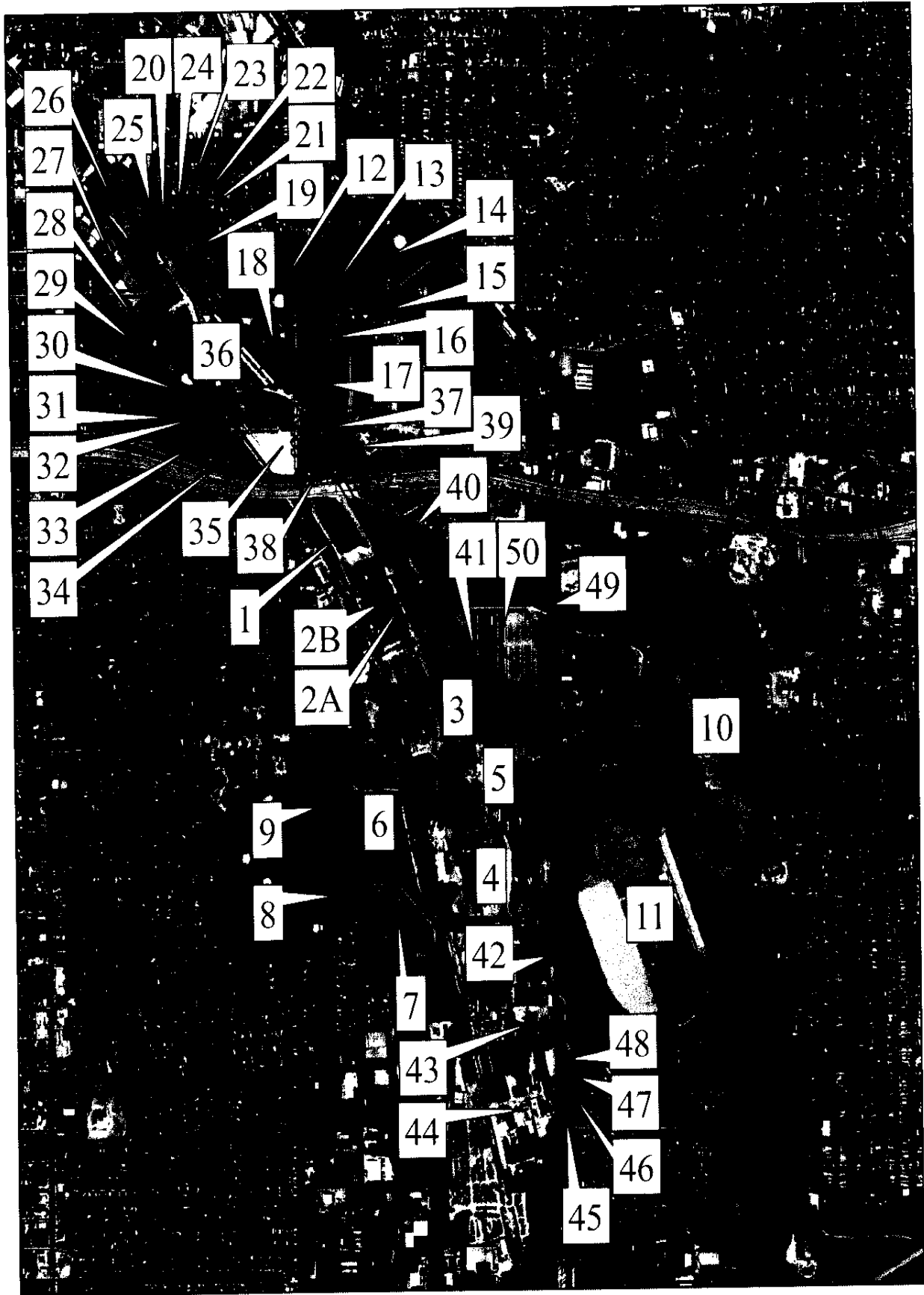


## Parcel and Acreage Purchased by IRG from Goodyear

Block "2A"	7.7693 acres
Block "2B"	8.4842 acres
Block "3"	22.0272 acres
Block "4"	33.9792 acres
Block "5"	11.8158 acres
Block "6"	29.6896 acres
Block "7"	9.5933 acres
Block "8"	5 acres
Block "10"	80.1025 acres
Block "12"	2.6402 acres
Block "13"	1.3724 acres
Block "14"	10.3652 acres
Block "15"	5.8481 acres
Block "16"	1.6166 acres
Block "17"	3.3143 acres
Block "18"	6.0592 acres
Block "19"	1.2374 acres
Block "20"	2.6266 acres
Block "21"	0.1607 acres
Block "22"	0.1607 acres
Block "23"	0.1607 acres
Block "24"	0.1607 acres
Block "25"	0.1137 acres
Block "26"	4.1281 acres
Block "27"	2.5698 acres
Block "28"	5.2072 acres
Block "29"	0.7764 acres
Block "30"	0.3614 acres
Block "31"	0.4129 acres
Block "32"	1.9519 acres
Block "33"	1.3941 acres
Block "34"	1.0359 acres
Block "35"	10.1748 acres
Block "36"	18.415 acres
Block "37"	0.5508 acres
Block "38"	0.8112 acres
Block "39"	1.5247 acres
Block "40"	1.3872 acres
Block "41"	4.3242 acres
Block "42"	0.4152 acres
Block "43"	7.1401 acres
Block "44"	21.3786 acres
Block "45"	0.6491 acres
Block "46"	0.6405 acres
Block "47"	0.0927 acres
Block "48"	0.321 acres
Block "49"	0.0595 acres
Block "50"	12.6184 acres

Total Acreage 342.6383 acres

# GOODYE VIRG BOUNDARY SURVEY KEYMAP



B. ROBINSON & CO.  
 554 White Pond Drive, Suite F  
 Akron, Ohio 44320  
 330-836-8487 Office  
 330-836-8490 Work  
 brobinson@brobinson.com  
 Web: www.brobinson.com



1 Inch = 900 feet



MAP PREPARED:  
 NOVEMBER 24, 2008

Existing Buildings

Parcel	Building	Sq. Ft.	Year Built
36	GY Headquarters	1,418,880	1916
18	GY Hall	292,000	1920
12	Medical Center	35,000	1920
28	Mix Center	526,000	1916
19	Market Street Garage	31,900	
2A	Tech A	759,720	1917
2B	Tech B	506,480	1978
15	Research	193,300	
5	Tire Test	145,600	
43	Archwood	124,800	

New Building

3	GY Headquarters	550,000
---	-----------------	---------

Existing Buildings

Construction Brick, Concrete, Steel Frame, reinforced concrete columns

Roofs Mainly wood plank, steel decks

Fire Protection Integral fire main underground system

Fire Pump # 1-A; 2,000 gpm, 125 psi, automatic diesel engine driven, 65 & 135 psi  
 Located near pump 1-A; 20 hp., Mueller, cut-in pressure 85 psi

Fire Pump # 1-B, 2,500 gpm, 125 psi, vertical, automatic diesel engine driven, 80 & 135 psi  
 Located near pump 1-B; (2) 5 hp., Grunfos, cut-in pressure 90 psi

Fire Pump # 3, 2,500 gpm, 125 psi, automatic diesel engine driven, 60 & 130 psi  
 Located near pump # 3; 20 hp., Worthington, cut-in pressure 70 psi

Fire Pump # 5, 1,500 gpm, 100 psi, automatic electric driven; 85 & 130 psi

Fire Pump # 6; 2,000 gpm, 100 psi, automatic diesel engine driven, 80 & 130 psi

Total combined capacities; 10,500 gpm @ 110 psi, approximately

City water pressure supplied automatic sprinklered plants to Research facility and Medical Center

Dry sprinkler, manual, fire Dept. supplied connection; E. Market Parking Garage

Plant #'s 1-5 interconnected fire mains; Fire Dept. connects (4) supplied with city water fire hydrants

Fire Inspections and Testing performed by GT&R Emergency Services/Fire Dept. 7-24 hour

Conducts standard NEPA 25; inspections and testing procedures

Emergency response time - two (2) minutes

Sprinklers

90% of plant areas are equipped with automatic sprinklers

8% are rated as non-sprinklered areas- blocked by suspended ceilings

98% of plant areas have automatic sprinkler piping available

3/4" branch line end pipes with a significant number being replaced with 1" (exact number unknown).

Area per sprinkler, 65 square feet to 100 square feet

Automatic sprinkler heads estimated to be 50 years old

Most updated piping areas may qualify for Group 1, Ordinary Hazard arrangement (0.15 gpm/sf)

Security

Alarms & CCTV security monitors (100) center continuously manned

Alarms are monitor addressed and printed (Siemens maintained)

Building #116 - 5 story; services shut off

Fencing

Chain Link - Security Card Access





(b)(4)





(b)(4)



(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

1

1





(b)(4)





(b)(4)



(b)(4)





(b)(4)

(b)(4)







(b)(4)

(b)(4)





(b)(4)

(b)(4)







(b)(4)

(b)(4)



(b)(4)



(b)(4)





(b)(4)



(b)(4)



(b)(4)



(b)(4)

(b)(4)



(b)(4)



(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(5)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)













(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

**EXHIBIT A**  
**SUBSCRIPTION AGREEMENT**

**EXHIBIT B**  
**LIMITED PARTNERSHIP AGREEMENT**

**EXHIBIT C**  
**ESCROW AGREEMENT**



# CMB INFRASTRUCTURE INVESTMENT GROUP I, L.P.



## A COMPREHENSIVE BUSINESS PLAN FOR CMB INFRASTRUCTURE INVESTMENT GROUP I, L.P.

A CALIFORNIA LIMITED PARTNERSHIP FORMED UNDER  
THE FEDERAL EB-5 VISA REGIONAL CENTER PILOT PROGRAM

**General Partner: CMB Export, LLC**

*A Federally-Designated Regional Center*

[www.cmbeb5visa.com](http://www.cmbeb5visa.com)

**May 15, 2008**

Midwest Executive Offices  
4507 49<sup>th</sup> Street  
Moline, Illinois 61265  
U.S.A.  
(309) 797-1550 phone  
(309) 797-1655 facsimile

President  
Patrick F. Hogan

California Offices  
Corona Professional Center  
400 S. Ramona Avenue  
Suite 212AA  
Corona, California 91719  
U.S.A.

Executive Director  
William F. Hurley

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)



(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

(b)(4)

## **HOW TO APPLY FOR REGIONAL CENTER DESIGNATION**

In all likelihood your submission will be more than several pages, please use fasteners to attach the documents at the top of each page or place it in a three ring binder with tabs. Send submissions to:

Chief, Office of Service Center Operations, Business & Trade Services  
USCIS Foreign Trader, Investor & Regional Center Program  
20 Massachusetts Avenue, NW **(Room 2123)**  
Washington, DC 20529

### **What is the Immigrant Investor Pilot Program?**

The Immigrant Investor Pilot Program ("Pilot Program") was created by Section 610 of Public Law 102-395 (October 6, 1992), as amended. This is different in certain ways from the basic EB-5 investor program.

The Pilot Program began in accordance with a Congressional mandate aimed at stimulating economic activity and creating jobs for U.S. workers, while simultaneously affording eligible aliens the opportunity to become lawful permanent residents. Through this innovative program, foreign investors are encouraged to invest funds in an economic unit known as a "Regional Center."

A Regional Center is defined in the regulations as any economic unit, public or private, engaged in the promotion of economic growth, improved regional productivity, job creation and increased domestic capital investment.

### **Initial evidence requirements.**

1. 8 CFR 204.6 (m) states in pertinent part:

(3) Requirements for Regional Centers. Each regional center wishing to participate in the Immigrant Investor Pilot Program shall submit a proposal to the...[Chief, Office of Service Center Operations]..., which:

(i) Clearly describes how the regional center focuses on a geographical region of the United States, and how it will promote economic growth through improved regional productivity, job creation, and increased domestic capital investment;

(ii) Provides in verifiable detail how jobs will be created indirectly; .....

(iii) Provides a detailed statement regarding the amount and source of capital which has been committed to the regional center, as well as a description of the promotional efforts taken and planned by the sponsors of the regional center;

(iv) Contains a detailed prediction regarding the manner in which the regional

center will have a positive impact on the regional or national economy in general as reflected by such factors as increased household earnings, greater demand for business services, utilities, maintenance and repair, and construction both within and without the regional center; and

(v) Is supported by economically or statistically valid forecasting tools, including, but not limited to, feasibility studies, analyses of foreign and domestic markets for the goods or services to be exported [if any], and/or multiplier tables.

2. It is always best to start with a cover letter that acts as an executive summary followed by a table of contents of the various tabbed sections to follow.

In reference to 8 CFR 204.6(m)(3)(i) as stated above the geographical area must be contiguous and clearly delineated. It is most helpful to provide the following series of maps, charts or written descriptions:

- The entire desired Regional Center Area
- Standard Metropolitan Statistical Areas (SMSA's)
- Rural Areas (areas outside SMSA's with populations under 20,000 people)
- High Unemployment Targeted Employment Areas (TEA's) as determined by the Governor or designee, (1.) areas within SMSA's or 2.) population centers of 20,000 or more outside SMSA's; with unemployment rates 150% or more of the national rate)
- Census Tracts, Cities, Towns, Counties, etc.
- Unemployment Rates by Cities, Towns, Counties or Census Tracts, etc.

3. In reference to 8 CFR 204.6(m)(3)(ii) as stated above for a Regional Center it is imperative to fully explain indirect job creation, as well as the direct and induced jobs, if any. The requirement of creating at least 10 new full-time (35 hours per week) jobs per each individual alien investor may be satisfied by showing that, as a result of the investment and the activities of the new enterprise, at least 10 jobs per alien investor will be created directly or indirectly through an employment creation multiplier effect. Submit an Economic Analysis and model that shows and describes job creation for each category of economic activity (for example, manufacturing, food production/processing, warehousing, tourism and hospitality, transportation, power generation, agriculture, etc.) Aspects of this element of the proposal may be combined with items 7 and 8, below in a single economic analysis and job creation model.

Concerns about the lack of a level and range of detail in the business plan and impact analyses, which makes sound business sense, especially at the individual I-526 level of detail, unfortunately is neither explicitly required nor demanded under the provisions of the INA which apply to the Immigrant Investor Pilot Program nor specific amendments to the statute, especially in the 2002 amendment Per Public Law 107-273, enacted November 2, 2002, which clearly states:



*“A regional center shall have jurisdiction over a limited geographic area, which shall be described in the proposal and consistent with the purpose of concentrating pooled investment in defined economic zones. The establishment of a regional center may be based on general predictions, contained in the proposal, concerning the kinds of commercial enterprises that will receive capital from aliens, the jobs that will be created directly or indirectly as a result of such capital investments, and the other positive economic effects such capital investments will have.”*

When relying on econometric **models for indirect job creation**<sup>1</sup> it is imperative that “direct jobs” will be real identifiable jobs supported by wage reports or I-9 forms otherwise they must be explicitly identified as hypothetical in nature. Another method would be to predict jobs based on dollar amount invested in the overall project, this too must be made clear. This distinction will be critical at the I-829 removal of condition stage of the immigration process.

4. In reference to 8 C.F.R. § 204.6(m)(3)(iii), a proposal must include a detailed statement regarding the amount and source of the capital that has been committed to the Regional Center, in addition to the description of the promotional efforts taken and planned by the Regional Center’s sponsors. USCIS has interpreted the words, “amount and source of capital that has been committed to the Regional Center” to mean the capital sufficient to sustain the Regional Center distinct from immigrant investors’ required capital investment in a new commercial enterprise within the Regional Center.

The detailed statement that is required to meet the regulatory requirement relating to the amount and source of capital committed to the Regional Center should include: 1.) the exact amount of funds that have been dedicated to the Regional Center to accomplish the goals of the Pilot Program; 2.) the source of such funds; 3.) whether the amount is sufficient to sustain the Regional Center; and 4.) evidence that the funds have already been committed to the Regional Center. None of the capital sustaining the Regional Center can come from immigrant investors’ required threshold capital investment (as distinct from the new commercial enterprises’ revenues). This separation of funds is necessary to enable the alien entrepreneur to qualify for the conditional EB-5 immigrant investor classification at the I-526 petitioning stage of the immigration process.

5. Also, under 8 CFR 204.6(m)(3)(iii) as stated above for any individual alien investor who will be solicited by a Regional Center to invest the requisite capital into a Regional Center commercial activity, it will be incumbent on the Regional Center to engage in a due diligence process to establish that all sources of capital can be fully explained and clearly shown to have been lawfully obtained.

**Submit a plan of proposed Regional Center operation which addresses how investors will be recruited and how the Regional Center will conduct its due**

---

<sup>1</sup> USCIS does not accept “construction jobs” in these permanent job creation forecasts as they are transient in nature and disappear when the construction is complete or are seasonal at best. However, support positions associated with construction jobs such as home supply product sales, routine maintenance and repair, and manufacturing of building materials can be included as indirect jobs in the calculations.

**diligence to accommodate the requirement that all immigrant investor funds will be lawfully obtained and describe what measures will be taken by the Regional Center to ensure and validate this. Will the submission of certain financial documents be required of foreign investors or will the Regional Center, for example, utilize a professional investigating firm to vet a potential investor's source of funds? What are your plans in this regard?**

6. Lastly under 8 CFR 204.6(m)(3)(iii), USCIS interprets the words "promotional efforts" to mean an advertising or marketing program planned by the sponsors of the Regional Center that is designed to attract immigrant investors to the Regional Center. Regional Center proposals require a full description of the past, current and future promotional activities for the Regional Center. This shall include a description of the budget for this activity as well as a statement as to the source of those funds used to accomplish this necessary task.

7. In reference to 8 CFR 204.6 (m)(3)(iv) as stated above a detailed prediction must be provided which includes the topics of regional or national impact, household earnings, greater demand for business services, utilities, maintenance and repair, and construction both within and without the Regional Center. This can be combined with items 3, above, and 8, below.

**The proposal should not make vague references to regional economic impacts but should provide actual monetary predictions and address the elements listed in USCIS regulations. The economic model and analysis requested in item 3, above, and item 8, below, will also need to address these specific points as listed here.**

8. In reference to 8 CFR 204.6 (m)(3)(v) as stated above submit a complete and valid economic analysis sufficiently detailed to predict the overall economic impact to be made by the Regional Center. This can be combined with items 3 and 7, above.

**Again it is stressed that the economic analysis that can be combined with items 3 and 7, above, must be sufficiently detailed to predict the overall economic impact and localized impacts to be made by the Regional Center's investment activities and projects.**

9. The business aspects of the Regional Center must be fully explained as to its structure. This aspect of a proposal includes, but is not limited to, the following basic elements or samples of them as applicable to the business approach and structure to be used by the Regional Center:

- An overall Business Plan-mandatory
- Draft Operating Agreement
- Draft Partnership Agreement
- Draft Subscription Agreement

- Draft Escrow Agreements and Instructions (one for capital and one for any service fees) Such agreements usually include an “out clause” in the event of an unsuccessful visa process as a marketing tool but are not required.
- List of proposed reputable financial institutions to serve as the Escrow Agent(s)
- Draft of an Offering Letter, Memorandum, Confidential Private Placement Memorandum, or similar offering made in writing to an immigrant investor through the Regional Center.
- Draft Memorandum of Understanding, Interagency Agreement, Contract, Letter of Intent, Advisory Agreement, or similar agreement to be entered into with any other party, agency or organization to engage in activities on behalf of or in the name of the Regional Center.

10. Submit a description of the applicant’s plans to administer, oversee, and manage the proposed Regional Center, including but not limited to such things as to identify, assess and evaluate proposed immigrant investor projects and enterprises; how the proposed Regional Center would perform “due diligence” as to whether investment capital to be sought will consist solely of alien investor capital or a combination of alien investor capital and domestic capital; how to monitor all investment activities affiliated, through or under the sponsorship of the proposed Regional Center, and to maintain records, data and information on projects, investors, business activities, etc., in order to report to USCIS for each Federal Fiscal Year. This is known as “due diligence” and is coupled with “oversight reporting responsibilities”. Fully explained in detail below.

**DESIGNEE’S RESPONSIBILITIES INHERENT IN CONDUCT OF A USCIS DESIGNATED REGIONAL CENTER:**

The law, as reflected in the regulations at 8 CFR 204.6(m)(6), requires that an approved Regional Center in order to maintain the validity of its approval and designation must continue to meet the statutory requirements of the Immigrant Investor Pilot Program by serving the purpose of promoting economic growth, including increased export sales (where applicable), improved regional productivity, job creation, and increased domestic capital investment. Therefore, in order for USCIS to determine whether your Regional Center is in compliance with the above cited regulation, and in order to continue to operate as a USCIS approved and designated Regional Center, your administration, oversight, and management of your Regional Center shall be such as to monitor all investment activities under the sponsorship of your Regional Center and to maintain records, data and information on a quarterly basis in order to report to USCIS upon request the following year to date information for each Federal Fiscal Year<sup>2</sup>, commencing with the initial year as follows:

- A. Provide the principal authorized official and point of contact of the Regional Center responsible for the normal operation, management and administration of the Regional Center.

---

<sup>2</sup> A Federal Fiscal Year runs for twelve consecutive months from October 1<sup>st</sup> to September 30<sup>th</sup>.

- B. Be prepared to explain how you are administering the Regional Center and how you will be actively engaged in supporting a due diligence screening of its alien investors' lawful source of capital and the alien investor's ability to fully invest the requisite amount of capital.
- C. Be prepared to explain the following:
- a. How the Regional Center is actively engaged in the evaluation, oversight and follows up on any proposed commercial activities that will be utilized by alien investors.
  - b. How the Regional Center is actively engaged in the ongoing monitoring, evaluation, oversight and follows up on any investor commercial activity affiliated through the Regional Center that will be utilized by alien investors in order to create direct and/or indirect jobs through qualifying EB-5 capital investments into commercial enterprises within the Regional Center.
- D. Be prepared to provide:
- a. the name, date of birth, petition receipt number, and alien registration number (if one has been assigned by USCIS) of each principal alien investor who has made an investment and has filed an EB-5/I-526 Petition with USCIS, specifying whether:
    - i. the petition was filed,
    - ii. is pending,
    - iii. was approved,
    - iv. denied, or
    - v. withdrawn by the petitioner, together with the date(s) of such event.
  - b. The total number of visas represented in each case for the principal alien investor identified in D.a. above, plus his/her dependents (spouse and children) for whom immigrant status is sought or has been granted.
  - c. The country of nationality of each alien investor who has made an investment and filed an EB-5/I-526 petition with USCIS.
  - d. The U.S. city and state of residence (or intended residence) of each alien investor who has made an investment and filed an EB-5/I-526 petition with USCIS.
  - e. For each alien investor listed in item D.a., above, identify the following:
    - i. the date(s) of investment in the commercial enterprise;

- ii. the amount(s) of investment in the commercial enterprise; and
  - iii. the date(s), nature, and amount(s) of any payment/remuneration/profit/return on investment made to the alien investor by the commercial enterprise and/or Regional Center from when the investment was initiated to the present.
- E. Be prepared to identify/list each of the target industry categories of business activity within the geographic boundaries of your Regional Center that have:
  - a. received alien investors' capital, and in what aggregate amounts;
  - b. received non-EB-5 domestic capital that has been combined and invested together, specifying the separate aggregate amounts of the domestic investment capital;
  - c. of the total investor capital (alien and domestic) identified above in E.a and E.b, identify and list the following:
    - i. The name and address of each "direct" job creating commercial enterprise.
    - ii. The industry category for each indirect job creating investment activity.
- F. Be prepared to provide:
  - a. The total aggregate number of approved EB-5 alien investor I-526 petitions per each Federal Fiscal Year to date made through your Regional Center.
  - b. The total aggregate number of approved EB-5 alien investor I-829 petitions per each Federal Fiscal Year to date through your Regional Center.
- G. The total aggregate sum of EB-5 alien capital invested through your Regional Center for each Federal Fiscal Year to date since your approval and designation.
- H. The combined total aggregate of "new" direct and/or indirect jobs created by EB-5 investors through your Regional Center for each Federal Fiscal Year to date since your approval and designation.
- I. If applicable, the total aggregate of "preserved" or saved jobs by EB-5 alien investors into troubled businesses through your Regional Center for each Federal Fiscal Year to date since your approval and designation.
- J. If for any given Federal Fiscal Year your Regional Center did or does not have

investors to report, then provide:

- a. a detailed written explanation for the inactivity,
- b. a specific plan which specifies the budget, timelines, milestones and critical steps to:
  - i. actively promote your Regional Center program,
  - ii. identify and recruit legitimate and viable alien investors, and
  - iii. a strategy to invest into job creating enterprises and/or investment activities within the Regional Center.

K. Regarding your website, if any, please be prepared to provide a hard copy which represents fully what your Regional Center has posted on its website, as well as providing your web address. Additionally, please provide a packet containing all of your Regional Center's hard copy promotional materials such as brochures, flyers, press articles, advertisements, etc.

L. Finally, please be aware that it is incumbent on each USCIS approved and designated Regional Center, in order to remain in good standing, to notify the USCIS Foreign Trader, Investor & Regional Center Program within 15 business days at [USCIS.ImmigrantInvestorProgram@dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@dhs.gov) of any change of address or occurrence of any material change in:

- the name and contact information of the responsible official and/or Point of Contact (POC) for the RC
- the management and administration of the RC,
- the RC structure,
- the RC mailing address, web site address, email address, phone and fax number,
- the scope of the RC operations and focus,
- the RC business plan,
- any new, reduced or expanded delegation of authority , MOU, agreement, contract, etc. with another party to represent or act on behalf of the RC,
- the economic focus of the RC, or
- any material change relating to your Regional Center's basis for its most recent designation and/or reaffirmation by USCIS.

**Now that USCIS has outlined the duties inherent in the conduct of a Regional Center, please submit a plan of action to remain in compliance with the enumerated requirements.**

11. With respect to the process by which a High Unemployment Area (USCIS TEA) is designated by the State. The exact and complete relevant language of the regulation that covers this may be found at 8 CFR 204.6(i), where it reads as follows:

*State designation of a high unemployment area.* The state government of any state of the United States may designate a particular geographic or political subdivision located within a metropolitan statistical area or within a city or town having a population of 20,000 or more within such state as an area of high unemployment (at least 150 percent of the national average rate). Evidence of such designation, including a description of the boundaries of the geographic or political subdivision and the method or methods by which the unemployment statistics were obtained, may be provided to a prospective alien entrepreneur for submission with Form I-526. Before any such designation is made, an official of the state must notify the... [Chief, Office of Service Center Operations]... of the agency, board, or other appropriate governmental body of the state which shall be delegated the authority to certify that the geographic or political subdivision is a high unemployment area.

Therefore it is incumbent upon the state to notify USCIS which “governmental body of the state” has been delegated the authority by the Governor to certify that a geographic or political subdivision is a high unemployment area for purposes of being designated as a Targeted Employment Area (TEA) under USCIS regulations. **[Applicable sentence in bold above.]** It is left to the appropriate designee within the state to exercise its authority and utilize what method or methods of its choosing in obtaining the unemployment statistics.

**A letter from the Governor of the state identifying the designated authority within the state to certify the geographic area(s) or political subdivision(s) within applicable metropolitan statistical areas as having high unemployment equal to 150% or more of the national unemployment rate would need to be addressed as follows and sent via Express Mail or courier service to:**

**Chief, Office of Service Center Operations  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue, NW (Room 2123)  
Washington, DC 20529**

Further clarification of the role of the state designated authority in the I-526 process is found at 8 CFR 204.6 (j) (6) (ii) (B) as follows:

(6) If applicable, to show that the new commercial enterprise has created or will create employment in a targeted employment area, the petition must be accompanied by:

.....

(ii) In the case of a high unemployment area:

.....

(B) A letter from an authorized body of the government of the state in which the new commercial enterprise is located which certifies that the geographic or political subdivision of the metropolitan statistical area or of the city or town with a population of 20,000 or more in which the enterprise is principally doing business has been designated a high unemployment area. The letter must meet the requirements of 8 CFR 204.6(i). [Applicable sentence underlined above.]

**It is hoped that the above references and information will be of help to you and the appropriate officials of the state with respect to your interest in seeking to establish a Regional Center through the Immigrant Investor Pilot Program that would focus within the state.**

**PLEASE NOTE: For your proposal submission and supporting evidence for items 1 through 11 above, please use acco-fasteners or place in a three ring binder with tabs to attach the documents at the top of each page, and individually tab the written materials/responses which you submit for each of the applicable items listed above in items 1 through 11. Also, submit the proposal in duplicate.**

**Translations** Any document containing a foreign language submitted to USCIS shall be accompanied by a full English translation that the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.

**Copies** Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain part of the record, even if the submission was not required.

#### **Address Changes**

If you change your address and you have an application or petition pending with USCIS, you may change your address by sending notification to:

**USCIS Chief of Service Center Operations  
Attn: Program Manager, Foreign Trader, Investor and Regional Center Program.  
20 Massachusetts Avenue, NW (RM. 2123)  
Washington, DC 20529  
(Or by E-mail)**

If you have any questions concerning any such approval and designation under the Immigrant Investor Pilot Program, please contact the USCIS Foreign Trader, Investor and Regional Center Program by Email at [USCIS.ImmigrantInvestorProgram@dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@dhs.gov).