

CREATIVE SMILES



DR. NELLY LYN MONTILLA

How a cosmetic dentist can enhance your appearance

Size and Shape of Your Teeth

Size and shape also are major factors that define the appearance of teeth. The most common cause of changing tooth size and shape over time is tooth wear; and the most common cause of wear is tooth-to-tooth contact, or grinding. Wear on the edges of the teeth can give the appearance of aging because you do not show as much of your teeth when you smile. Another factor that affects how much of your teeth show when you smile is the loss of skin tone as you age. This loss of tone causes your face to sag, thereby showing less of your upper teeth and more of your lower teeth. The treatment to enable more teeth to show when you smile will depend on the cause. If the cause is due to wear of the teeth, dental veneers or dental crowns can be used to regain the lost length and fill out the smile.

The treatment can vary from teeth bleaching to dental crowns or dental veneers. Depending on the severity, other forms of treatment such as braces and gum surgery also

may be indicated to enhance the appearance and function of your teeth. It is important to remember that all areas need to be addressed. If treatment for teeth that are worn and dark only involves teeth bleaching, the final result will be whiter teeth that are still worn and short. The teeth will not appear natural, as there will be a conflict between white teeth (youthful) and worn teeth (aged) that do not work together. Instead, it is necessary to correct the color, size, and shape to create a more natural appearance. We give free cosmetic consultation and offer in house installment plans.

CREATIVE SMILES DENTAL
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The following information is provided as a general guideline. It is NOT intended in place of professional care. Since every pregnancy may vary, consult your physician or dentist for advice on your particular situation.

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THE color, size, and shape of your teeth all have a profound impact on your appearance. While it is often the desire of people to improve the look of their smiles, it should be the goal of the dentist to do this while still maintaining a “natural” appearance of the teeth. This often requires addressing one or all of the above-mentioned criteria. How is it that alterations in these three characteristics enhance your smile?

Color of Your Teeth

Tooth color is most commonly what people see first. As you get older, your teeth get darker. The reasons for this include normal changes that occur within the tooth and repeated insults from environmental conditions (coffee or tea stains, for example). Generally, then, darker teeth are associated with older age. The easiest way to correct this is by teeth bleaching. But this alone may not entirely create a natural-looking appearance.

‘When do I have to be paid the prevailing wage?’

Common questions on employment-based immigration

by FRANKLIN W. NELSON, ATTORNEY AT LAW

(Part 2)

IN last week’s article, I briefly described the process of obtaining a “green card” through a job offer. One of the most fundamental requirements in this process is presenting and maintaining a “*bona fide*” job offer throughout this process, and one of the most fundamental components of the bona fide job offer is the prevailing wage. If an employer fails to offer the prevailing wage for the position being offered, the Department of Labor (“DOL”) or US Citizenship and Immigration Services (“USCIS”) could conclude that the job offer is not *bona fide* and, therefore, deny the case.

The solution would appear simple: simply offer the prevailing wage immediately and continuously throughout the process. However, in practice this is not quite so easy. Not only must the prevailing wage be offered, but the employer must also demonstrate to the DOL and the USCIS that the wage has been offered. The latter is significantly more complex and begins with the inclusion of the wage in certain aspects of recruitment process preceding the filing of the application for Labor Certification; and the actual certification of the wage on the DOL’s Labor Certification.

How does the employer show that the wage is being offered?

The employer must demonstrate that the prevailing wage has been offered by actually paying the prevailing wage or by showing it is both willing and able to pay. Actual payment of the prevailing wage is sufficient, by itself, to show the wage is being offered. However, if the employer chooses not to pay the prevailing wage at any time while the application is pending, that employer must show that it was still able to pay it. This is often referred to as the “ability to pay” issue and is the reason for many, if not most, denials. Although company tax returns are primary evidence of ability to pay, for many small companies the net profits reported on their returns do not always accurately reflect their actual ability to pay the wage.

In recent months, the ability to pay issue has become a frequent subject of USCIS Requests for additional Evidence (RFE). Actually, paying the employee the prevailing wage makes responding to these RFEs simple. If, on the other hand, the employee is not being paid the prevailing wage, and if the company’s tax returns also do not show ability to pay, proving ability to pay becomes much more difficult and, perhaps, depending on the evidence available, impossible under current USCIS standards.

What if my H-1B wage is different?

If actual payment of the prevailing wage is sufficient, by itself, to establish ability to pay, why not simply tell the employer to start paying the prevailing wage the moment it is established? Well, one reason is that employers, despite my wishes to the contrary, don’t always do what I advise them to do. More importantly, however, paying the prevailing wage for labor certification purposes might violate the beneficiary’s current status. Perhaps the beneficiary is out of status and not authorized to work. If that is the case, the employer cannot pay the beneficiary the prevailing wage—or, in fact, any wage at all, without violating US law.

If the beneficiary is authorized to work for the employer as an H-1b alien, their H-1b status is based on a separate prevailing wage determination that is not necessarily the same as the prevailing wage determination made for labor certification purposes. This could be due to differences in the requirements for the H-1b position versus the labor certification position, the passage of time between the two prevailing wage determinations, or other factors. However, regardless of the reason, if the two wages are different, paying the labor certification



Atty. Franklin W. Nelson

prevailing wage could potentially violate the H-1b professional’s status—something that should not be done without, at the very least, careful consideration. So again, although paying the labor certification prevailing wage immediately solves the labor certification issue, it may create other issues.

The obligation to show that the employer has the ability and willingness to pay the prevailing wage continues through the entire petition process until permanent residency is granted to the employee beneficiary. USCIS can raise the issue any time and the employer must be able to demonstrate ability and willingness from the date the priority date was established by filing the labor certification to the present; even if they already demonstrated this at a previous point in the petition process. The willingness to pay issue will be the focus of next week’s segment, but by now it should be becoming clear that, although actual payment (or receipt) of the prevailing wage does make some things easier, the timing of this is important, and it may not be the appropriate solution in a particular case, depending on where it is in the adjudication process.

Mr. Nelson obtained both his Bachelor’s Degree in Economics and his Juris Doctorate Degree from the University of Southern California, one of the top universities in the United States. He has been practicing law since 1990 and immigration law since 1994. A member of the American Immigration Lawyers Association, the Los Angeles County Bar Association, and the American Bar Association, Mr. Nelson is admitted to practice before all courts in the State of California, the United States District Courts for the Northern, Central, and Eastern Districts of California, the United States Court of Appeals for the Ninth Circuit and the United States Supreme Court.

Attorney Franklin W. Nelson is a licensed attorney in the State of California as well as Federal District Courts throughout California, the United States Court of Appeals for the Ninth Circuit and the United States Supreme Court. He has been practicing law for nearly 20 years and is the President and principle shareholder of Nelson & Associates, PLC, with offices in Pasadena and El Monte, CA. Further inquiries should be directed to Attorney Nelson at his Pasadena Office by calling (626) 683-3451.

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Bonuses of the New Republic



AMERICAN International Group, commonly known as AIG, has been in the media since the middle of 2008. According to the 2008 Forbes Global 2000 list, AIG was the 18th largest public company in the world. Most of AIG investments are tied directly to the US real estate market. AIG used mortgage backed securities to build momentous wealth.

As the real estate bubble began to burst, AIG found its self in very unfamiliar grounds. AIG’s net worth shrank pulling the stock value below the \$5 mark, causing dire consequences for them. Under SEC and IRS rules, most pension funds had to withdraw their capital which caused AIG stock to drop even lower.

For over five months now, AIG has been surviving through direct funding from the US government. Both the Bush and Obama administrations have pumped over \$300 billion to keep AIG afloat. In exchange, AIG promised to revise their operations in order to afford paying back the government.

During the past weeks, public opinion expressed anger over the AIG bail out. The rage was driven by leaked news showing “bonuses paid” to about 30 executives at AIG. Both Democrats and Republicans expressed their anger and disappointment. Seeing the need to calm public opinion, President Obama said he will “take responsibility.”

Yielding to the demands of the public, the lower chambers of the US congress passed a tax bill to be attached to the AIG bail money. The White House came out strongly against such measures. Featured in the CBS news program *60 Minutes*, President Obama forged the new tax bill as “targeting special people.”

Benjamin Franklin once stated that: “All human situations have their inconveniences. We feel those of the present but neither see nor feel those of the future; and hence, we often make troublesome changes without amendment, and frequently for the worse.” In our age of advanced technology, our economy is intertwined with the entire world and true balance is required. To see our hard earned tax dollars given to the ultra rich is extremely disturbing. Our ideologies of capitalism have been compromised.

Our government has made radical decisions in “handing out” money with no accountable measures in place and no true due diligence. Is this not the same irrational decision making that led our lending institutions (and entire country) to the verge of dissolution?

If you have any questions or comments, e-mail Elbert Medina at Elbert@habashylawfirm.com or call at 1-800-2494-LAW(529) X 102.

Mr. John Habashy is an attorney-at-law, graduated from USC, with extensive loan modification experience.

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FINDING IT HARD to find REAL HELP with your LOAN MODIFICATION?

Many homeowners are in distress and need help urgently. With so many people struggling with their mortgages or facing foreclosure, there are equally as many who are offering assistance, for a fee. If you are considering Loan Modification, be careful! Don't hire an illegal loan modification company.



Put the Right Lawyer on your side.

Talk to a Legal Home Help representative. We're here to help you.

- Evaluate your mortgage problem
- Provide access to information on the legal options available to you
- Match you with an attorney in the Legal Home Help Network best suited to help you with your specific mortgage problem
- Set up a Free consultation with an attorney
- Provide Fee comparisons and payment plans available

Save time! Avoid scams! Know your chances for success!

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