

**DEBT RELIEF**



**ATTY. LAWRENCE YANG**

# Bail out vs. Bankruptcy

If the borrower needs new funds to buy an extension of life, isn't that borrower very sick? Indeed it is. Without new funds, the borrower would just collapse and die. Thus, the recipients of major bail out funds have all been too big to die, so they say. According to Obama, if AIG were not given bail out funds, it would drag the whole US economy, and thus, the whole world economy down the drain, as a giant octopus would. It's hard to imagine that the biggest economy in the world would die, if AIG died, even if it were the largest American insurance company. But that is what the prophets of doom and gloom say, and they are presently in charge.

On the other hand, a liquidation bankruptcy means that the borrower is not going to continue doing business as it did before. All of its assets will be sold to generate cash to pay its creditors. A reorganization bankruptcy means that the borrower will continue doing business but has asked the bankruptcy court's protection to handle it's creditors in accordance with bankruptcy law. While the borrower is undergoing reorganization in bankruptcy court, creditors cannot sue borrower who will present a business plan to the court to convince the court of its future viability. In the business plan, the borrower will get rid of a lot of debt and will void a lot of contracts, so it can emerge as a lean and profitable enterprise. A reorganization bankruptcy may involve an infusion of fresh funds from loans or new capital but it always will involve the substantial reduction of debt.

For individuals with too much debt, they can seek Chapter 7 or 13 bankruptcy relief. Chapter 7 gives them a fresh start without debt while keeping most if not all of their assets. A Chapter 13 reorganizes their financial affairs with reduced debt payments.

If you need debt relief, contact my office. I will analyze your case personally.

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Lawrence Bautista Yang specializes in bankruptcy, business, real estate and civil litigation and has successfully represented more than five thousand clients in California. Please call Angie, Barbara or Jess at (626) 284-1142 for an appointment at 1000 S Fremont Ave Bldg A-1 Suite 1125 Unit 58 Alhambra, CA 91803.

(Advertising Supplement)

**PROTECTING RIGHT & \$**



**ATTY. JOEL R. BANDER**

**A**RE you feeling tied down to your current job because of your H-1B visa? Did you receive a job offer from a different company but don't know what to do? The fact is: You CAN change employers while on an H-1B visa! What is important is that you and your employer follow the correct procedure necessary to do this.

Fortunately, the American Competitiveness in the Twenty-

## California...

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now and you shall be rewarded. If you know and learn how to listen to the right people and always ask your advisers, what is your interest in any situation. If someone is offering you something or if someone is convincing you to do something. Always, think twice or three times before jumping into the situation and ask "What is your interest in this situation?"

I remember in LA when a majority of the buildings (high rise & commercial) were owned by big Japanese firms. They were buying things from Japan left and right. Then when everything went south, they lost a lot of properties in the LA areas. Then the Chinese came in and bought up these properties for half the price, but they checked them thoroughly and audited everything before pricing them. Someone once told me that when the Chinese came and bought these properties it's like they were kicking the tires 4X to make sure there is air in it before buying them. Now, business is business and I think that is how we have to start to think and see our future negotiations.

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For my honest opinion, call me direct be prepared to listen to my truthful and very direct advice. Call Ken Go at 1st Innovative Finance (888) 822- 5363 or write to: kennethgo@verizon.net

Please be understanding to yourself, mistake can be made to better yourself in the future.

(Advertising Supplement)

# Changing Employers while on an H-1B Visa

First Century Act (AC21) was enacted into law in 2000 and allows H-1B portability. This means that alien with an H-1B visa has an opportunity to move to a different employer. It does not mean that your visa is transferred from one employer to another. The new H-1B employer must first file a new Form I-129 petition for the alien before he or she begins working for the new employer. The application will include the alien's pay stubs as evidence that there will be no gap in employment. Oftentimes, employers/employees make a mistake of not filing the petition before the employee starts working for the new company. Failure to do so may lead to the revocation of an alien's H-1B visa.

Since their H-1B visa was already counted against the 65,000 visa cap when they obtained the visa from the current employer,

the new employer can still file for their H-1B visa even if the 65,000 visa cap has already been exhausted. Once your H-1B visa has been counted toward the visa cap, you will no longer have to wait the next year to apply.

Another common mistake is when the employers do not pay the employee they petitioned with the wage indicated in the H-1B petition. These aliens should receive salary that is in accordance to the industry's prevailing wages. There are instances when aliens petitioned by employers turn a blind eye on this violation made by their employers because they are happy enough that they are able to work in the United States.

As with any H-1B visa, aliens are only allowed to work for the petitioning US employer and perform the tasks described in the petition. The duties you are to perform and the wages you

are to receive should be in accordance with what was filed by the employer.

The most important thing to remember about changing employers while on an H-1B visa is this: There should be no gaps in your employment because your H-1B allows you to stay in the US legally based on continuous employment.

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Atty. Joel R. Bander is the partner of Bander Law Firm, LLP. With over 15 years of litigation and immigration experience, Mr. Bander is a leading litigator and accomplished trial strategist. He has successfully handled numerous cases before Federal, State, Civil, and Criminal Judges and has participated in hundreds of arbitrations and trials.

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# RE-UNION

Filipino-American Associations in America

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## Council of Philippine American Organizations of San Diego County, Inc. (COPAO)

Contact information:

COPAO Center

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9 am- 12 Noon/1 -4 pm, M-F

For appointments call: (619) 477-4090

**Mission Statement**

COPAO is a collaborative of organizations united by a common concern for the economic, social and political empowerment of its members through developmental programs and projects.

**A Brief History of COPAO**

*By Aurora S. Cudal*

It is not surprising that the almost 200,000 Filipino-Americans in San Diego County, who originate from the different regions and provinces of the Philippines, and who come from all walks of life, have formed a variety of social clubs, school organizations, professional societies, and so forth. In fact, by unofficial count, there are approximately 150 different organizations that have been formed by Filipino-Americans in San Diego County.

Perhaps because of this diversity, the Council of Philippine American Organizations of San Diego County (COPAO) was formed to begin to bring the many groups together under a single "umbrella" organization. Over the years, it's governing body has metamorphosed into a unicameral Executive Council, serving as the legislative and administrative body over approximately 50 different member organizations.

COPAO was started by retired Filipinos from the US Navy, doctors, nurses, social workers and educators who came together in 1971, to organize an umbrella organization in order "to foster harmony and mutual cooperation among Filipino-American organizations and the community at large." Other objectives of the organizers were to work together to (1) promote understanding of Filipino cultural heritage (2) protect the legitimate interests of Filipinos and Filipino-Americans (3) expand opportunities for education, health, business, employment and social services (4) advocate civil rights, equal opportunity and social justice, and to (5) build character, integrity, self esteem and a positive image of Filipinos and Filipino-Americans.

In the final chapter of "Beyond the Mask", a book about the life and times of US Navy Filipinos, Dr. Riz Oades, writes about COPAO's challenges and accomplishments under various administrations ending with that of Jay V. Ruiz, who was responsible for initiating many community projects, foremost of which is the Philippine Faire and Parade, which has become an annual event to celebrate the anniversary of the declaration of Philippine Independence from Spain.

The late Ernie Flores, Jr., publisher and editor-in-chief of The Filipino Press and former historian of COPAO, wrote that in 1967, The Filipino Community Organization of San Diego County (now known as the Philippine American Community of San Diego County), received a few thousand dollars from the City and County to fund anti-poverty programs for Filipinos. The president of the organization at that time was Filemon Adrid, a realtor and retired Navy serviceman. This was the first known government-funded project ever directed to the then growing Filipino-American community in San Diego County.

In 1972, Filemon Adrid, with the help of a few community leaders decided to form a separate entity to address the social service needs of the Filipinos. With the participation of a dozen or so Filipino associations, the new entity was called the "Council of Pilipino-American Organizations (COPAO). Adrid became its first Chairman.

That year a group of doctors, nurses and other community leaders organized Operation Samahan, Inc. with COPAO as its fiscal agent through

the late 1980's until funding was stopped. For a brief time, COPAO also had an Asian component program directed specifically to the needs of Chinese, Indo-Chinese, Japanese, Koreans and Pacific Islander groups such as Hawaiians, Samoans, Tongans, etc. This component later separated from COPAO to form what is now known as the Union of Pan Asian Communities (UPAC).

Through the 70's and 80's COPAO operated with funding coming from the city, county, and the United Way. At one time funds were also coursed Area Advisory Committee (MAAC Project), a basically Latino-oriented program in the South Bay area.

Through the years, COPAO had been headed by a succession of Chairpersons. In 1992, COPAO's ByLaws were amended and a House of Delegates was organized to serve as the legislative arm of COPAO. The Speakers of the House of Delegates were Roy Bautista (1993-1994), Zenaida Mascardo Ravelo (1995-1996), Oscar Sa. Garcia (1997-1998) and Greg Alabado (1999-2000).

Since its inception in 1972, the Council of Philippine American Organizations of San Diego County, Inc. has accomplished much. Its information programs and a variety of services have provided countless men and women referral and counseling on matters pertaining to their health problems, access to social services, immigration and naturalization, training and job placement and legal problems. It has also been an advocate on issues affecting ethnic minorities and has joined hands with other agencies in its drive for political empowerment. COPAO has collaborated with various agencies such as the Internal Revenue Service to implement the Volunteer Income Tax Assistance (VITA) program; the Community Labor Service to help in the job placement of unemployed or underemployed low income individuals; and the National Asian and Pacific American Legal Consortium (NAPALC) to involve the community, particularly Filipino-Americans in voters registration and in promoting language access to election materials.

COPAO has been acknowledged on several occasions as the incubator of Operation Samahan Health Clinic, Union of Pan Asian Communities (UPAC), Samahan Dance Company, Samahan Senior Nutrition Center and AB Samahan. These agencies started as community projects under the aegis of COPAO and then moved on to become independent and progressive non-profit organizations.

Every administration of COPAO has exerted its best to do what is good for the Filipino-American community. But there is still much to be done. The current administration under the leadership of Rita Buencamino Andrews was elected into office in December 2004, under newly amended Bylaws. It looks forward to a better, stronger and more effective COPAO, committed to pursuing the objectives upon which it was founded. While there have been distractions along the way, COPAO has managed to stay on track. More organizations are joining its ranks and participating in its activities. The Philippine Faire 2005, an annual event to celebrate the anniversary of Philippine Independence and showcase Filipino culture and talent, last took place on June 11 and 12, 2005. Filipino-Americans and other members of the San Diego community joined the Grand Parade on June 11, the Tribute to Veterans on June 12, and enjoyed the dances, songs, cultural displays, Filipino food, and other expressions of our vitality as a people. ■

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