

Exhibit B

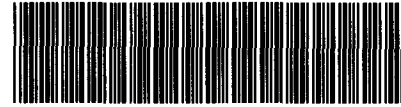
September 23, 2021

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
6500 Campus Circle Drive East,
Irving, TX 75063

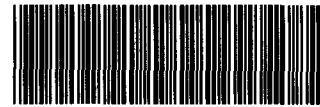


U.S. Citizenship
and Immigration
Services

ADAM J ROSEN
MURTHY LAW FIRM
10451 MILL RUN CIRCLE STE 100
OWINGS MILLS, MD 21117



MSC2090451894



A216-040-813

DECISION

Dear HARI RAM YADAV

Thank you for submitting Form I-485, Application to Register Permanent Residence or Adjust Status, to U.S. Citizenship and Immigration Services (USCIS) under section 245 of the Immigration and Nationality Act (INA).

After a thorough review of your application and supporting documents, we must inform you that we are denying your application for the following reason(s).

Generally, to qualify for adjustment under INA 245, an applicant must:

- Be inspected and admitted or paroled into the United States;
- Be eligible to receive an immigrant visa;
- Be admissible to the United States for permanent residence; and
- Have an immigrant visa immediately available at the time the application is filed.

Pursuant to 8 C.F.R § 103.2(b)(16)(i), if a decision will be adverse to the applicant or petitioner and is based on derogatory information considered by USCIS and of which the applicant and/or petitioner is unaware, he/she will be advised of this fact and offered an opportunity to rebut the information and present explanations as appropriate.

After a thorough review of your application and supporting documents, we must inform you that we are denying your application because you are inadmissible to the United States.

Statement of Facts and Analysis, Including Ground(s) for Denial

You filed Form I-485 based on being the beneficiary of a multiple immigrant petitions filed on your behalf, both by yourself and prior employers.

USCIS received your Form I-485 on November 26, 2019, and we reviewed your application to determine your eligibility for adjustment of status. Upon review of your application by an Immigration Services Officer, it was found that you signed to testify that you had reviewed all information on your Form I-485 and certified that it, along with any attached testimony and supporting documents, was true and correct.



On page 13 of 18 on your Form I-485, you were asked on question 64 of that page, "Have you **EVER** submitted fraudulent or counterfeit documentation to any U.S. Government official to obtain or attempt to obtain any immigration benefit, including a visa or entry into the United States?" to which you elected "No."

On page 13 of 18 on your Form I-485, you were asked on question 65 of that page, "Have you **EVER** lied about, concealed, or misrepresented any information on an application or petition to obtain a visa, other documentation required for entry into the United States, admission to the United States, or any other kind of immigration benefit?" to which you elected "No."

Your Form I-485 was signed as true, complete, and accurately reviewed and certified with an original ink signature.

A review of the immigration record shows that you were named as a participant in a fraud scheme regarding your prior employer or prospective employer, ACCELERATED Innovators, Inc., under whose auspices you attempted to obtain a non-immigrant visa to enter the United States. While records show that you later withdrew your application during the visa issuance process abroad, they also show that you had misrepresented your employment under oath to Consular Officers, and then misrepresented this incident once more during the issuance of your most recent employment based visa.

Your purposeful misrepresentation or concealment of information regarding your immigration history in order to gain an immigration benefit makes you inadmissible to the United States under INA 212(a)(6)(C)(i).

A waiver of this ground(s) of inadmissibility may be available to those who file Form I-601, Application for Waiver of Grounds of Inadmissibility, pursuant to section 212(i) of the Act; however, you did not demonstrate that you had the requisite qualifying Lawful Permanent Resident or U.S. citizen relative to qualify for this benefit.

We notified you of the derogatory data we considered as per 8 C.F.R § 103.2(b)(16)(i) through the issuance of a Notice of Intent to Deny (NOID) on April 9, 2021. We further notified you that, if you did not wish to apply for a waiver, you were required to respond to the NOID with a signed statement indicating the same or any written explanation/evidence showing your reasons why you believed that the grounds of denial as discussed above were not applicable to you.

You were granted a period of thirty three (33) days from the date of the NOID to establish why your application should not be denied. Your response was received on April 29, 2021, from you and your attorney of record, Adam Rosen.

The response consisted of the following:

- A brief from your attorney of record which states that:
 - The Service erred in not fully disclosing the derogatory data on which we intended to make our decision.
 - The issuance of a non-immigrant visa after discussing the same matter with Consular Officers indicated no finding of fraud or misrepresentation.
 - You had received multiple re-issuances or extensions of your non-immigrant visa and were inspected and admitted appropriately multiple times.
 - USCIS is prohibited from ignoring prior adjudicative decisions without appropriate explanation.
- Charges filed against Steven Wigginton of ACCELERATED Innovators Inc.
- Docket report of the proceedings involving Steven Wigginton of ACCELERATED Innovators Inc.

- Your statement in which you allege that:
 - You paid ACCELERATED Innovators Inc what you believed was an employment deposit.
 - You proceeded through a procedurally regular process up until the final stages of consular processing.
 - You withdrew your application after significant delays in order to recover your passport for travel.
 - You provided sworn testimony under oath to Consular Officers in order to obtain a different visa.
 - You had been inspected and admitted to the United States and maintained status since that date.
- Gmail printouts of correspondence with Prasadd Gollapally of ACCELERATED Innovators Inc discussing the payment of a refundable deposit, documents needed for H1B processing, and a job post from the job site, Naukri.com. The emails are dated variously from March 28, 2012, to June 4, 2012.
- A job offer letter as a Principal J2EE Software Engineer from ACCELERATED Innovators Inc as dated on June 2, 2012.
- Evidence of visa issuance and lawful admission to the United States.

Upon consideration of response and all salient points as set forth in the accompanying brief, you were scheduled for an interview on June 23, 2021, in order to further discuss your case and collect all information required in order to make a determination regarding your application.

Records indicate that you appeared as requested and willingly provided sworn testimony under oath to the effect that:

- You became aware of a job opportunity with ACCELERATED Innovators Inc through a link from Naukri.com by your friend, Gupreet Singh.
- You paid a deposit of roughly ~\$3,000 and, after some delay, ACCELERATED Innovators Inc filed an H1B for you.
- You were offered a position of Principal J2EE Software Engineer.
- You attended a telephonic roundtable with the company's attorney in preparation for an interview with the Department of State.
- You attended a quick and simple interview with Consular Officers.
- Your case was repeatedly delayed until you decided to withdraw your application in order to secure the return of your passport for business travel.
- After withdrawing your application, you attempted to contact ACCELERATED Innovators Inc for the return of your deposit, but your point of contact was no longer employed.
- You were reassigned to Steve Wigginton who became your point of contact by email and LinkedIn.
- You were ultimately unable to secure the return of your deposit.
- You applied for a job in India, but later moved to a company who transferred you to the United States with an H1B.
- You provided information regarding ACCELERATED Innovators Inc to the Consular Officer who later issued your H1B.
- You were unaware of the details regarding the charges against ACCELERATED Innovators Inc until your attorney researched it.

The Immigration Officer who conducted your interview further discussed the data considered by USCIS in regards to ACCELERATED Innovators Inc and the charges brought against Steve Wigginton for his role in visa fraud in regards to payment for positions, the nonexistence of positions, and fraudulently created positions. As this was in contrast to the testimony you provided, you were

told that you would be allowed to submit any further evidence you'd like which you believed would support your testimony. You also submitted the following evidence after your interview which you stated would support your claims:

- Multiple inquiries made to the U.S. Visa Service Desk of the Department of State between January and February of 2013.
- An August 27, 2012, LinkedIn message to Steve Wigginton who responded by email, indicating that he would be your new point of contact for ACCELERATED Innovators Inc. The email's most recent message appears to indicate that you managed to speak to Steve Wigginton of ACCELERATED Innovators Inc some time prior to January 3, 2013.
- A November 13, 2012, email from Prasad Gollapally of ACCELERATED Innovators Inc. indicating that you had been scheduled for a phone call with a staff attorney.

After examining all submitted evidence and the testimony you provided, the Service initiated an administrative inquiry into the charges brought against Steve Wigginton and ACCELERATED Innovators Inc to determine whether the information obtained during the criminal investigation could corroborate the testimony you provided while under oath.

Our administrative inquiry found that:

- As part of his plea agreement, Steve Wigginton named you an active participant in the visa fraud he facilitated.
- As part of his plea agreement, Steve Wigginton withdrew all filings made in relation to his fraud scheme.
- Steve Wigginton freely testified that he had created false positions in exchange for payment.
- Criminal investigators determined that, according to testimony obtained from Steve Wigginton, you were neither duped nor misled post fact in regards to the availability or existence of positions.
- Criminal investigators determined that, according to Steve Wigginton, he was specifically sought by those who wished to fraudulently obtain visas to the United States.

On full consideration of the results of our administrative inquiry into the criminal investigation of Steve Wigginton, the testimony you provided under oath, and the evidence you provided, Officers found that the immigration record clearly establishes that:

1. You had engaged in fraud in an attempt to obtain a visa or entry to the United States through ACCELERATED Innovators Inc.
2. You misrepresented the facts surrounding your prior non-immigrant visa in order to obtain an H1B with UTI United States Inc.
3. You misrepresented your non-immigrant visa fraud in order to obtain an immigrant visa and/or adjustment of status.

Thus, the Service maintains that you are inadmissible to the United States for reasons related to fraud and misrepresentation as previously set forth in our NOID and as explained in person during your interview. See INA 212(a)(6)(C)(i)

As you indicated that you have no Lawful Permanent Resident or U.S. citizen relatives through whom you may seek relief through the grant of a waiver of these grounds of inadmissibility at this time, you are not admissible to the United States and may not adjust status to that of a lawful permanent resident



at this time, and your Form I-485 Application to Register Permanent Residence or Adjust Status is hereby denied.

You may not appeal this decision. However, if you believe that the denial of your Form I-485 is in error, you may file a motion to reopen or a motion to reconsider using Form I-290B, Notice of Appeal or Motion. The grounds for a Motion to Reopen and Motion to Reconsider are explained in 8 CFR 103.5(a). You must file Form I-290B within 30 days of the date of this decision if this decision was served in person, or within 33 days if the decision was served by mail. See 8 CFR 103.5(a) and 103.8(b). Note: You must follow the most current filing instructions for Form I-290B, which can be found at www.uscis.gov.

To access Form I-290B or if you need additional information, please visit the USCIS Web site at www.uscis.gov or call the USCIS Contact Center toll free at 1-800-375-5283. You may also contact the USCIS office having jurisdiction over your current place of residence.

The evidence of record shows that, when you filed your application, you were present in the United States in accordance with the law. You are authorized to remain in the United States until this period expires. To review information regarding your period of authorized stay, check travel compliance, or find information on how to validate your departure from the United States with Customs and Border Protection (CBP), please see (<https://i94.cbp.dhs.gov/I94/#/home>).

NOTE on Employment Authorization Document: Any employment authorization based upon this Form I-485 is automatically terminated if the expiration date on the employment authorization document has been reached. See 8 CFR 274a.14(a)(1)(i). Since this Form I-485 is denied, the condition upon which your employment authorization was based no longer exists. Any unexpired employment authorization based upon this Form I-485 is revoked as of 18 days from the date of this notice, unless you submit, within 18 days, proof that your Form I-485 remains pending. See 8 CFR 274a.14(b)(2). The decision by the district director shall be final and no appeal shall lie from the decision to revoke the authorization. Your employment authorization document should be returned to the local USCIS office.

NOTE on Advance Parole Document: Any advance parole document based upon this Form I-485 is automatically terminated if the expiration date of the time for which parole was authorized has been reached. See 8 CFR 212.5(e)(1)(ii). Since this Form I-485 is denied, the purpose for which your advance parole document was issued has been accomplished. Any unexpired advance parole document issued to you based upon this Form I-485 is terminated as of the date of this notice. See 8 CFR 212.5(e)(2)(i). Your advance parole document should be returned to the local USCIS office.

Please note that any Employment Authorization Document and/or Advance Parole Document issued on an unrelated basis remains unaffected.

Sincerely,



Wilhelm (Will) Bierman
Field Office Director

cc: ADAM ROSEN



Department of Homeland Security
Dallas Field Office
6500 Campus Circle Drive East
Irving, TX 75063



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

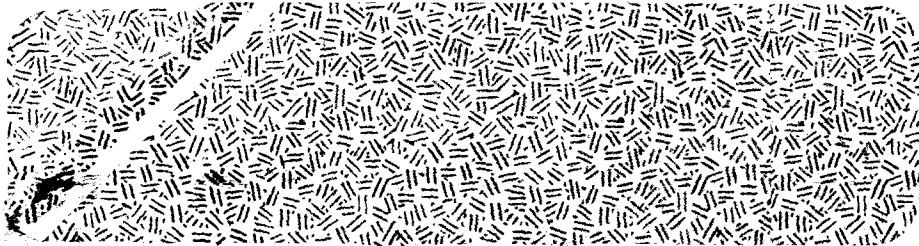


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