

Exhibit D

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797B, Notice of Action



RECEIPT NUMBER EAC-12-203-51479		CASE TYPE I129 PETITION FOR A NONIMMIGRANT WORKER	
RECEIPT DATE July 18, 2012	PRIORITY DATE	PETITIONER FIRST TEK INC	
NOTICE DATE October 16, 2012	PAGE 1 of 2	BENEFICIARY A200 856 760 SRIVASTAVA, JAYESH	
FIRST TEK INC C/O DOREEN VILLAVERDE 1551 SOUTH WASHINGTON AVE STE 402A PISCATAWAY NJ 08854		Notice Type: Approval Notice Class: H1B Valid from 08/31/2012 to 08/30/2015 Consulate: HYDERABAD	

The above petition has been approved for the classification requested. It has been determined that the named worker(s) is (are) not eligible for the requested extension of status. You will receive a separate notice explaining the reasons for this determination.

Since the worker(s) has (have) been found ineligible for an extension of stay, we have sent notification to the consulate shown above. If you have any questions about visa issuance, please contact the consulate directly.

If a visa is issued, upon admission in this classification the worker(s) will be authorized to be employed by the petitioner for the authorized period pursuant to the terms and conditions of the petition. The petitioner should keep the upper portion of this notice and forward the lower portion to the worker(s) for presentation at the U.S. Consulate.

If any of the named worker(s) will apply for a visa at a consulate other than the one listed above, the petitioner should file Form I-824, Application for Action on an Approved Application or Petition, to request us to notify the new consulate.

If any of the worker(s) included in this petition do not actually enter the United States, and substitutions of different workers are not made, the petitioner must notify this office so the allocated nonimmigrant visa numbers can be re-used.

Please read the back of this form carefully for more information. If you have questions about tax withholding, please contact the Internal Revenue Service.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for

Please see the additional information on the back. You will be notified separately about any other cases you filed.
U.S. CITIZENSHIP & IMMIGRATION SVCS
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
SAINT ALBANS VT 05479-0001
Customer Service Telephone: (800) 375-5283
Form I797B (Rev. 10/31/05)N



Please tear off portion below and forward it to the alien worker.

The alien may use this portion when applying for a visa at an American consulate abroad, or if no visa is required, when applying for admission to the U.S.

Receipt#: EAC-12-203-51479	Case Type: I129
Notice Date: October 16, 2012	Petitioner: FIRST TEK INC
Petitioner Validity Dates: Valid from 08/31/2012 to 08/30/2015	Number of Workers: 1
Name: SRIVASTAVA, JAYESH	DOB: [REDACTED] COB: 1979 INDIA
	Class Consulate / POE OCC: H1B HYDERABAD 030

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797B, Notice of Action



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RECEIPT DATE July 18, 2012	PRIORITY DATE	PETITIONER FIRST TEK INC
NOTICE DATE October 16, 2012	PAGE 2 of 2	BENEFICIARY A200 856 760 SRIVASTAVA, JAYESH

(continued)
an extension, change, or adjustment of status.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Number of workers: 1

Name	DOB	COB	Class Consulate / POE OCC
SRIVASTAVA, JAYESH	[REDACTED]	1979 INDIA	H1B HYDERABAD 030

The Small Business Regulatory Enforcement and Fairness Act established the Office of the National Ombudsman (ONO) at the Small Business Administration. The ONO assists small businesses with issues related to federal regulations. If you are a small business with a comment or complaint about regulatory enforcement, you may contact the ONO at www.ombudsman.sba.gov or phone 202-205-2417 or fax 202-401-5719.

NOTICE: Although this application/petition has been approved, USCIS and the U.S. Department of Homeland Security reserve the right to verify the information submitted in this application, petition and/or supporting documentation to ensure conformity with applicable laws, rules, regulations, and other authorities. Methods used for verifying information may include, but are not limited to, the review of public information and records, contact by correspondence, the internet, or telephone, and site inspections of businesses and residences. Information obtained during the course of verification will be used to determine whether revocation, rescission, and/or removal proceedings are appropriate. Applicants, petitioners, and representatives of record will be provided an opportunity to address derogatory information before any formal proceedings are initiated.

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Department of Homeland Security
U.S. Citizenship and Immigration Services
Vermont Service Center
30 Houghton St (VSC Premium Processing)
St. Albans, VT 05478-2399



U.S. Citizenship
and Immigration
Services

October 22, 2012

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DOREEN VILLAVERDE
FIRST TEK INC
1551 SOUTH WASHINGTON AVE STE 402A
PISCATAWAY NJ 08854

A Number:

File Receipt Number EAC1220351479

Applicant/Petitioner Name: FIRST TEK INC
Beneficiary:SRIVASTAVA, JAYESH

Dear Sir/Madam:

On July 18, 2012, you filed a petition for Nonimmigrant Worker (Form I-129), on behalf of the alien listed above, to extend his H1B status beyond the initial approval of EAC0924451077, valid from October 5, 2009, to August 30, 2012. The classification portion of the petition has been approved. The portion of the petition requesting an extension of stay for the alien is now being denied for the following reason(s):

USCIS records indicate that the beneficiary previously filed an I-539, Application to Extend/Change Nonimmigrant Status, (EAC0913954102) on April 14, 2009 requesting a change of status to that of an F-1 student beginning May 26, 2009; however, this I-539 contained fraudulent financial documents, which was confirmed by USCIS Fraud Detection and National Security, New Delhi. As a result, the current status of the beneficiary is in question. Therefore, this request for extension is being denied.

This decision may not be appealed. However, if you disagree with this decision, or if you have additional evidence that shows this decision is incorrect, you may submit a motion to reopen or a motion to reconsider by completing a Form I-290B, Notice of Appeal or Motion. A copy is enclosed. A motion to reopen must state the new facts to be considered and must be supported by affidavits or other new documentary evidence. A motion to reconsider must show that the decision was legally incorrect according to statute, regulation, and/or precedent decision.

The motion must be filed within 33 days from the date of this notice. You must send your completed Form I-290B and supporting documentation with the appropriate filing fee to:

USCIS 290B
PO Box 21100
Phoenix AZ 85036

For more information about the filing requirements for motions; please see 8 CFR 103.5, visit the USCIS website at www.uscis.gov, or contact the automated Form Request Line by calling 1-800-870-3676.

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EAC1220351479

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FINAL NOTE: Title 8, Code of Federal Regulations, Section 265.1 states in pertinent part, "Except for those exempted by section 263(b) of the Act, all aliens in the United States required to register under section 262 of the Act shall report each change of address and new address within 10 days on Form AR-11."

Sincerely,



Daniel M. Renaud
Center Director

ENCLOSURE: I290B