



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

March 28, 2014

Joseph C. McCarthy
McAdam & McCarthy
RE: USA Now Regional Center – **Designation Terminated**
1850 Industrial Street #604
Los Angeles, CA 90021

Notice of Termination

This letter shall serve as notification that U.S. Citizenship and Immigration Services (USCIS) has terminated the designation of USA Now, LLC ("USA Now") as a regional center under the Immigrant Investor Program ("Program") pursuant to Title 8 of the Code of Federal Regulations (8 CFR) section 204.6(m)(6).

The regulation at 8 CFR § 204.6(m)(6) provides:

Termination of participation of regional centers. To ensure that regional centers continue to meet the requirements of section 610(a) of the Appropriations Act, a regional center must provide USCIS with updated information to demonstrate the regional center is continuing to promote economic growth, improved regional productivity, job creation, or increased domestic capital investment in the approved geographic area. Such information must be submitted to USCIS on an annual basis, on a cumulative basis, and/or as otherwise requested by USCIS, using a form designated for this purpose. USCIS will issue a notice of intent to terminate the participation of a regional center in the pilot program if a regional center fails to submit the required information or upon a determination that the regional center no longer serves the purpose of promoting economic growth, including increased export sales, improved regional productivity, job creation, and increased domestic capital investment. The notice of intent to terminate shall be made upon notice to the regional center and shall set forth the reasons for termination. The regional center must be provided 30 days from receipt of the notice of intent to terminate to offer evidence in opposition to the ground or grounds alleged in the notice of intent to terminate. If USCIS determines that the regional center's participation in the Pilot Program should be terminated, USCIS shall notify the regional center of the decision and of the reasons for termination. As provided in 8 CFR 103.3, the regional center may appeal the decision to USCIS within 30 days after the service of notice.

On January 13, 2014, USCIS issued to USA Now a Notice of Intent to Terminate (NOIT) the “USA Now Regional Center,” which afforded USA Now 30 days from receipt of the notice to offer evidence in opposition to the grounds alleged in the NOIT. To date, USCIS has not received a response from USA Now to the NOIT. Through this termination notice, USCIS is terminating USA Now Regional Center’s participation in the Program.

Reasons for Termination

As stated in the NOIT, USCIS has determined that the USA Now Regional Center does not serve the purpose of promoting economic growth, including increased export sales, improved regional productivity, job creation, or increased domestic capital investment.

The record establishes that the Securities and Exchange Commission (the “Commission”) filed a complaint against the following defendants associated with the USA Now Regional Center: USA Now; Marco A. Ramirez; Bebe Ramirez; USA Now Energy Capital Group, LP and Now Co. Loan Services, LLC. The Commission’s complaint, which was filed on September 30, 2013 in the United States District Court for the Southern District of Texas, McAllen Division (the “Court”), claims that the Ramirezes and their companies violated and aided and abetted violations of the antifraud provisions of the Securities Act of 1933 and the Securities Exchange Act of 1934. The complaint seeks various forms of relief including, among others, preliminary and permanent injunctions, disgorgement of ill-gotten gains with prejudgment interest, and financial penalties.

(b)(4) The Commission’s complaint alleges that since 2010, the defendants have perpetrated an investment scheme to defraud investors participating in the Program. Through an expedited investigation, the Commission has determined that the defendants have fraudulently offered and sold at least [REDACTED]. Furthermore, it is alleged that the EB-5 capital was not invested in the designated projects in accordance with the representations made in the organizational, transactional, and offering documents signed by each investor and instead the funds were diverted to other interests on behalf of the defendants.

As noted in the NOIT, the allegations from the Commission’s complaint that support the termination of the USA Now Regional Center include: the solicitation of investors with false promises of EB-5 visas prior to USA Now’s approval as a regional center; violation of the terms of escrow agreements by withdrawing investor funds from escrow prior to I-526 approval; and the use of investor funds for purposes inconsistent with representations made to investors. The specifics of the allegations are thoroughly explained in the NOIT, a copy of which is enclosed with this notice.

Thus, pursuant to 8 CFR 204.6(m)(6) and for the reasons set forth in the NOIT, USCIS has determined that USA Now Regional Center no longer serves the purpose of promoting economic growth. As explained in the NOIT, rather than promoting economic growth, the evidence reflects that USA Now Regional Center engaged in acts, practices, and courses of business that defrauded and deceived investors, prospective investors, and other persons.

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USA Now Regional Center has offered no evidence in opposition to any of the grounds alleged in the NOIT. Accordingly, USCIS terminates USA Now Regional Center's participation in the Program because USA Now Regional Center no longer serves the purpose of promoting economic growth.

Procedure to Appeal the Decision to Terminate

If you disagree with this decision, or if you have additional evidence that shows this decision is incorrect, you may file a motion or an appeal to this decision by filing a completed Form I-290B, Notice of Appeal or Motion, along with the appropriate filing fee. A copy is enclosed. You may also include a brief or other written statement and additional evidence in support of your motion or appeal. The Form I-290B must be filed within 33 days from the date of this notice. If a motion or appeal is not filed within 33 days, this decision is final.

You must send your completed Form I-290B and supporting documentation with the appropriate filing fee to the address indicated below.

If using the U.S. Postal Service:
USCIS
P.O. Box 21100
Phoenix, AZ 85036

If using USPS Express Main/Courier:
USCIS
Attn: 290B
1820 E. Skyharbor Circle S
Suite 100
Phoenix, AZ 85034

Your motion or appeal must be filed on Form I-290B and must be accompanied by a fee of \$630.00. The check or money order used for the Form I-290B filing fee must be drawn from a bank or other financial institution located in the United States and must be payable to U.S. Department of Homeland Security.

In support of your appeal, you may submit a brief or other written statement for consideration at the time of initial filing of the Form I-290B or within 30 calendar days of filing. If you are filing an appeal of this decision, you may, if necessary and for good cause, request additional time to submit a brief or other statement by submitting a written explanation for the need for additional time. Any brief, written statement or other evidence in support of an appeal that is not filed concurrently with Form I-290B, including any request for additional time for the submission of a brief must be sent directly to the Administrative Appeals Office (AAO) at:

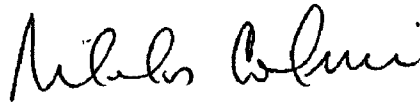
USCIS
Administrative Appeals Office
20 Massachusetts Avenue, NW
Mail Stop 2090
Washington DC 20529-2090

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The appeal of the termination may not be filed directly with the AAO. The appeal of the termination must be filed in accordance with the Form I-290B instructions and at the address indicated above.

For more information about the filing requirements for appeals and motions, please see 8 C.F.R. § 103.3 or 103.5, or visit the USCIS website at www.uscis.gov.

Sincerely,



Nicholas Colucci
Chief, Immigrant Investor Program

Enclosure: (1) Form I-290B with instructions
(2) Notice of Intent to Terminate issued on January 13, 2014

cc: Bebe Ann Ramirez
USA Now Regional Center – **Designation Terminated**
3700 N. 10th Street
Suite 210
McAllen, TX 78501