

Airport concession fight heats up again

Law firm claims the Greater Orlando Aviation Authority won't disclose public information.

BY CHRIS KAUFFMANN | STAFF WRITER

The food fight over the concessions for Airside 3 (gates 30-59) at Orlando International Airport is being hashed out once again, nearly a year after it was thought to be settled.

The Orlando law firm of NeJame, LaFay, Jancha, Vara, Barker & Joshi PA quietly filed a civil lawsuit March 19 accusing the Greater Orlando Aviation

Authority of not producing a requested memo regarding the finances of the winning bidder, in violation of Florida's Public Records Act.

The authority, which oversees the Orlando airport, maintains the memo can't be provided because federal law precludes releasing the personal financial data of someone participating in the bidding process as a "disadvantaged business enterprise" unless the firm gives written permission to do so.

The winning bidder, Carol Hojeji of Hojeji Branded Foods Inc. of Atlanta, expressly prohibited release of the information, notes the Greater Orlando

In Brief

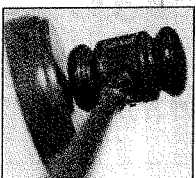
Case number: 08-CA-0006025-0

Filed: March 19

Plaintiff: NeJame, LaFay, Jancha, Vara, Barker & Joshi PA

Defendant: Greater Orlando Aviation Authority

Judge: R.K. Whitehead

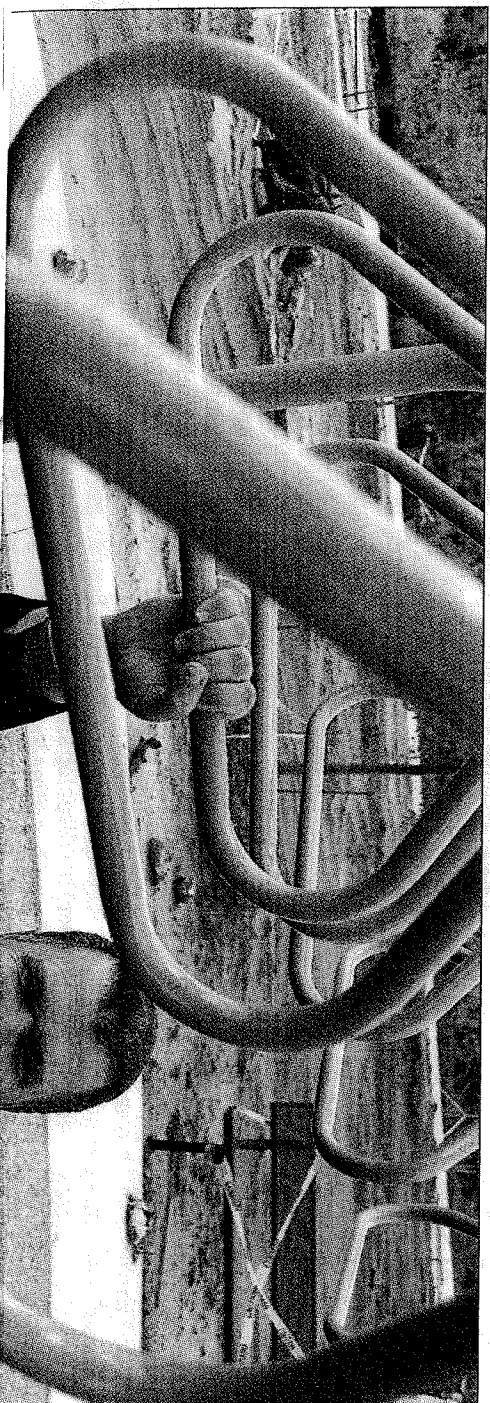


Aviation Authority in its response filed by its attorneys last week. Hojeji Branded Foods, in partnership with a Spanish firm, Areas USA

Inc., beat out Orlando Hometown Concessions Inc. last June in a contentious battle for the 15-year airport concession contract. Although both proposals were rated about equal by the authority's staff, the authority voted 4-2 in favor of the staff recommendation for Hojeji because it would provide more revenue to the airport.

Under Hojeji's proposal, the airport will get about \$2.2 million annually, while it would have gotten \$1.8 million annually under Orlando Hometown Concessions' proposal.

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LiveTV to more than double HQ in Brevard

Firm will add 53 high-wage jobs in Orlando, 34 in Melbourne.

FOOD: Aviation authority says requested documents can't be sent due to federal disclosure regulations

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Attorney Rick Jancha says he's representing himself in the case, and filed the lawsuit simply as a concerned citizen. The Greater Orlando Aviation Authority's arguments, he says, are without merit and "they know it."

"I don't think they want the document to be made public because the document would raise questions about the integrity of the whole process," Jancha says.

The Greater Orlando Aviation Authority's attorneys could not be reached for comment. The authority's officials decline to comment on an ongoing case.

The federal government cut off applications for H-1B visas after only a week because it had received nearly twice as many petitions for these work permits as the number of slots available.

The U.S. Citizenship and Immigration Service started accepting H-1B petitions for fiscal 2009 on April 1. By April 7, it had received around 163,000 applications. Under current limits, 65,000 general H-1B visas will be awarded to highly skilled foreigners, and another 20,000 will be awarded to

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According to the lawsuit, Jancha made a written public records request on Jan. 18, asking the Greater Orlan-

do Aviation Authority to produce all memoranda and reports between its attorneys and officials related to Hojeij's eligibility for "disadvantaged business enterprise" status. Carol Hojeij had to produce documents certifying her personal net worth did not exceed \$750,000 in order to gain that status.

After some back and forth between the two parties, Greater Orlando Aviation Authority officials sent a Jan. 31 letter to Jancha that said the memo could not be sent due to federal regulations about disclosure.

The lawsuit contends the federal rules do not pertain to memoranda drafted by the Greater Orlando Avia-

tion Authority's legal counsel, but rather than "splitting hairs" over the issue, the plaintiff would be satisfied with a redacted memo.

However, the Greater Orlando Aviation Authority refused to do so because there was no way to redact the memo without violating the federal law, say court documents.

Jancha is seeking a hearing to force the Greater Orlando Aviation Authority to produce the memo for inspection and to get reimbursed by the authority for legal fees and costs.

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H-1B visa applications nearly double the number available

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vanced degrees from U.S. universities.

The agency will select H-1B visa recipients by lottery.

The imbalance between the supply of H-1B visas and the demand for them prompted technology industry lobbyists to renew their calls for legislation to raise the cap on these visas.

"Tens of thousands of highly educated professionals will lose the random lottery, and America's door will be shut to this talent," says Robert Hoffman, vice president for govern-

co-chair of Compete America.

Compete America is a coalition pushing for more H-1B visas, which allow foreigners to work temporarily in the U.S., and more green cards, which allow foreign workers to remain permanently in this country.

Legislation introduced by Sen. John Cornyn, R-Texas, would raise the general H-1B visa cap to 115,000 a year, and increase the advanced degree H-1B visa cap to 30,000. It also would redistribute 150,000 H-1B visas and 218,000 green

"This bill is a good and positive step toward addressing the nation's critical shortage of high-skilled workers in science and technology," says Jack Krumholz, managing director of federal government affairs for Microsoft.

Before raising the cap, however, the federal government needs to close loopholes that allow U.S. companies and Indian outsourcing firms to hire H-1B visa holders even if U.S. workers could fill the jobs, says Sen. Chuck Grassley, R-Iowa.