



SAI[®]

Law & Economics

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Introduction



Introduction

In 1995, after having occupied key positions in the Mexican delegation that negotiated the North American Free Trade Agreement and after having contributed to leading other relevant international trade and investment treaties to fitting conclusion, a group of economists and attorneys decided to leave the public sector. They merged their member´s experience and talent and created a firm with an innovative concept in Mexico: legal, economic and financial consulting services with an interdisciplinary approach.

Introduction

- We are **leaders and pioneers** in our practice areas.
- The **interdisciplinary integration** of renowned lawyers and economists allows us to offer our clients unique services in the market.
- Our **experience and business vision** permits us to anticipate our clients' problems, propose solutions that reduce regulatory risks, and maximize the chances of success.

Practice Areas

SAI provides services in the following practice areas:

Arbitration

Investment
Banking

International
Trade and
Foreign
Investment

Antitrust and
Competition

Economic
Consulting

Energy

Administrative
Litigation

Corporate
Practice

Regulatory and
Public Policy
Practice

Trade
Remedies

Arbitration



SAI's team members have performed as counsel and arbitrators in arbitration proceedings, including investor-State, State-to-State and industry-State (anti-dumping) arbitrations. We have represented companies in local courts upholding their rights under international trade and investment treaties. In the negotiation and public policy arena, we took part in designing the dispute settlement mechanisms under the World Trade Organization and several of Mexico's free trade agreements and investment agreements.

Services

SAI advises domestic and international companies and national and foreign governments in all stages of arbitration proceedings, covering:

- Representation of parties in dispute settlement procedures, including procedures regarding trade remedies, foreign investment, State-to-State disputes and private commercial arbitration.
- Design and drafting of arbitration clauses.
- Evaluation of arbitration cases.
- Review and advice on potential breaches of a party's obligations under international trade and investment treaties.
- Advisory on design and implementation of corporate restructuring to increase protection of international investors.

Investment Banking



Practice Areas | Investment Banking

SAI has created financial instruments and raised equity and debt through private and public markets. SAI is a pioneer in Mexican financial markets through the creation and execution of public investment instruments and becoming one of the most relevant players in the financial industry. Additionally, SAI has provided advisory services related to execution of several mergers and acquisitions for numerous industries in different size transactions.

Services

The Investment Banking practice supports our clients' development process through the following services

- Financial and strategic consulting
- Private Funding
- Mergers and Acquisitions (M&As) and Joint Ventures (JVs)
- Public Funding
- Investment Vehicles Structuring
- Financial Restructuring

A bald eagle is shown in flight, wings spread wide, flying from the left side of the frame towards the right. The eagle is brown with a white head and neck, and a yellow beak and talons. The background is a blurred image of a port or shipping yard with many stacks of shipping containers. The sky is a clear, light blue. The overall image has a professional, business-oriented feel.

International trade and foreign investment

Practice Areas | International trade and foreign investment

SAI represents and provides all-encompassing advice to domestic and foreign enterprises in the negotiation, implementation and use of free trade agreements and bilateral investment treaties, as well as on their legal protection and dispute resolution under such agreements.

SAI provides strategic guidance and technical support to governments in negotiating these agreements and in the elaboration and adoption of the public policies and regulations needed to boost exports, attract more investment and create a better business environment.

SAI supports the investor throughout all the stages of the investment process.

Practice Areas | International trade and foreign investment

Services

SAI provides legal services and strategic advice in the following areas:

- Designing of stances for a government, sector, industry or enterprise to negotiate and deepen trade and investment agreements:
 - Support to outline the negotiation strategy (e.g., terms of reference).
 - Assistance to organize the negotiation process (consensus building and communication between public agencies and between the public and private sectors).
 - Technical training for negotiations.
 - Technical and strategic assistance during the negotiation process.
 - Review, analysis and drafting of proposed negotiation and consolidated texts.
 - Assessment of the economic impact of trade agreements after their entry into effect and if such, of their deepening.

Practice Areas | International trade and foreign investment

Services

- Leverage and interpretation of international agreements in trade and investment matters.
- Formulation of public policies regarding trade liberalization, export promotion, investment attraction, and regulatory improvement, among others, that governments and private companies are interested in promoting.
- Implementation of public policies about innovation and technology to improve competitiveness.
- Legal representation and advisory in disputes before the World Trade Organization dispute settlement body, in free trade agreements and bilateral investment treaties.
- Advisory for government procurement tenders (e.g., compliance with national and regional content under the North American Free Trade Agreement, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, the Pacific Alliance).

Practice Areas | International trade and foreign investment

Services

- Support for the investor throughout all investment process stages :
 - Negotiation with federal, municipal, and local authorities.
 - Identification of possible strategic allies or companies to potentially acquire.
 - Preparation of contracts and corporate documents.
 - Compliance with the legal framework and applicable requisites for the investment.
 - Investment protection under trade and investment agreements.
- Global value chain analysis and recommendations for enterprises to better integrate into such chains.
- Cost-benefit analysis for tariff modifications
- Structural adjustment policies that help industries adapt to new international trade commitments.

Practice Areas | International trade and foreign investment

Services

- Import-export operations:
 - Customs valuation.
 - Tariff classification.
 - Certification and verification of origin.
 - Estimated prices.
 - Trade promotion mechanisms
(e.g., IMMEX – Program of the Manufacturing Industry, Maquiladora and Export Services).
 - Sector-based promotion programs.
 - Customs procedures.
 - Technical standards.
 - Calculation of effective protection rates.

Antitrust and Competition





Practice Areas | Antitrust and Competition

SAI is a leader and pioneer in Economic Competition Law. We offer interdisciplinary services as a result of the integration of recognized lawyers and economists.

This integration allows us to provide unique assessments within the market, regarding various subject matters such as: mergers; investigations into monopolistic practices; leniency program applications; and procedures to remove barriers to competition and regulate access to essential forms of input.

Practice Areas | Antitrust and Competition

Services

We provide our clients with legal and economic advice on competition matters for their business decision-making processes or for them to prevent any risks. We also serve as economic representation agents in procedures before the Comisión Federal de Competencia Económica (COFECE, Federal Economic Competition Commission) or the Instituto Federal de Telecomunicaciones (IFT, Federal Telecommunications Institute).

- We offer a wide range of assessment services for corporations, including the following and other services:
 - Consulting pertaining to economic competition.
 - Analysis of commercial practices.
 - Regulatory analysis applied to competition.
 - Compliance training for economic competition.
 - Evaluation of internal policies regarding economic competition regulations.
 - Alignment of international companies' policies with Mexican laws in terms of economic competition.

Services

- We offer advisory and representation services for the following procedures held before the competition authorities:
 - Merger notifications.
 - Investigation into anticompetitive practices.
 - Applications to the leniency program for having engaged in absolute monopolistic practices.
 - Applications for approval by the authorities to participate in public tenders.
 - Declarations of lack of effective competition conditions in a market.
 - Statements of essential types of input or barriers to competition.
- During amparo trials, we offer services to challenge rulings by the COFECE and the IFT before the courts specializing in economic competition and telecommunication issues.
- We offer consulting to governments and public and private corporations in tender and contract issues.

Economic Consulting



SAI[®]
Law & Economics

Practice Areas | Economic Consulting

The Economic Consulting team at SAI is integrated by specialists in micro and macroeconomics and econometrics and numerical methods, among other areas of knowledge, who have demonstrated throughout their practice a solid commitment to our clients and unblemished professional ethics.

Our main goal is to offer practical and reliable solutions to improve our clients' competitiveness. We deliver by an effective and efficient implementation of different economic analysis tools and rigorous quantitative methods, mainly focused on the resolution of economic competition cases, analysis of value chains and commercial flows, regulatory impacts measurement, programs and public policies assessment, elaboration of sectoral studies, and advisory on various strategic planning issues.

Additionally, an important team asset is its thorough experience using cutting-edge technological and statistical tools to analyze large volumes of information.

Services

We offer the following services for our clients:

- Economic competition
- Economic footprint and sectoral studies
- Regulatory and public-policy impacts
- International trade
- Strategic planning
- Macroeconomic perspectives
- Evaluation of social programs and organizations



Energy

Practice Areas | Energy

We provide integral and decisive support for the development and growth of companies all along the hydrocarbons and electricity production chains, including goods and services suppliers, as well as energy consumers. Our renowned performance is rooted on the profound knowledge of our experts, as well as their broad and solid experience in the oil industry and energy market sectors.

Services

SAI advises and represents companies and individuals with:

- Legal Services
- Investment banking
- Trade agreements and national compliance
- Specific business problems

Administrative Litigation



Practice Areas | Administrative Litigation

Our experience challenging the decisions of both the Comisión Federal de Competencia Económica (COFECE, Federal Economic Competition Commission) and the Instituto Federal de Telecomunicaciones (IFT, Federal Telecommunications Institute), has provided us a thorough knowledge of the applicable law and the decisional practice of the specialized courts. We have steadily presented cases before these courts ever since they were created; therefore, we are well acquainted on the evolution of their precedents.

The energy legislation took up the rules to challenge resolutions issued by COFECE and IFT, making them applicable to both the Comisión Reguladora de Energía (CRE, Energy Regulatory Commission) and the Comisión Nacional de Hidrocarburos (CNH, National Hydrocarbon Commission). The former, extended the application range of our robust practice.

Services

SAI advises and represents companies and individuals:

- By initiating and conducting amparo proceedings against decisions issued by COFECE, IFT, CRE or CNH that affect the interests of our clients.
- By initiating and conducting amparo proceedings against general rules (laws, regulations, etc.) to obtain a declaration of their invalidity. At times, the viability of the companies may depend on effectively resolving the problem caused by an irregular regulation.
- By directly intervening in amparo proceedings when our clients have benefited by a decision of the regulatory authority that is being challenged by a third party, to defend the constitutionality of the authority's act. We understand the urgency of obtaining certainty and juridical stability in these types of cases since it can be decisive for our clients' business plans.
- Challenging administrative regulations as required by our clients, by means of the applicable administrative or judicial appeals as deemed appropriate.

Corporate Practice





Practice Areas | Corporate Practice

We represent public and private entities on a wide range of corporate and transactional matters, including structured finance projects, export credit agency financing, corporate restructuring and private equity transactions. We also advise our clients regarding the design and implementation of participation, affiliation and investment agreements in the areas of energy, real estate, ports and others.

SAI and Robert Wray PLLC ("RW") have established a joint venture ("JV") to strengthen and expand their corporate practice in Mexico and articulately collaborate on transactional and cross-border affairs. SAI's solid practice in the corporate law, competition, international trade, investment banking and economic consulting areas, is now enhanced by RW, a prestigious boutique law firm in Washington DC with more than 15 years of experience in structured finance transactions, export credit agency financings and aviation finance.

In alliance with RW, we have one of the most preeminent and experienced legal teams in the aviation finance market.

Practice Areas | Corporate Practice

Services

We offer the following services for our clients:

- Structured finance
- Export credit agency financings
- Aviation finance
- Corporate law and cross-border affairs

Regulatory and Public Policy Practice



Practice Areas | Regulatory and Public Policy Practice

Regulatory- SAI counsels and advises domestic and international corporations, and various public and state-owned entities regarding requirements and processes under the existing legal and regulatory framework in Mexico. SAI aims to increase its clients' awareness and understanding of the applicable legal provisions, to be better positioned to undertake their responsibilities, and to mitigate possible negative effects that arise from the regulatory schemes inherent to their operation.

Public Policy- SAI counsels foreign governments, the Mexican government and public and stated owned enterprises at federal, state and municipal level, on the design, implementation, application and evaluation of public policies. Accordingly, the professionals of SAI have a broad and vast experience in the public sector, and a deep understanding of the functioning of the different areas, institutions and entities of the public administration.

Practice Areas | Regulatory and Public Policy Practice

Services

SAI provides legal counseling services on regulatory and public policy matters with respect to:

- The application of legal and regulatory provisions in the ordinary course of business.
- Compliance with regulatory obligations to undertake specific transactions and operations, both domestic and international.
- The applicable legal framework and the implementation of regulatory improvements to draw on international treaties and other trade agreements.
- The analysis of the regulatory and economic impact arising from the public policies implemented by governmental entities and institutions in the ordinary performance of their duties.

Practice Areas | Regulatory and Public Policy Practice

Services

- The application of best international practices on matters of public policy and the implementation of coordination mechanisms and transversal strategies.
- The design of public policies and development of specific projects to fulfill the objectives set forth in the federal, state and regional plans and programs.
- The identification of regulatory areas with improvement opportunities in the Mexican legal framework and the analysis of convenient potential modifications to such framework in order to promote the development and growth of specific industries.
- Support to the stakeholders interested in promoting regulatory improvements with the relevant authorities, including the submission of proposals in international forums and multilateral organizations.
- The analysis of market characteristics and trends, regulatory practices and regulatory frameworks updating.
- The assessment on public procurement and tenders (e.g. procurement strategies, market intelligence, and tender design, among others).



Trade Remedies

Practice Areas | Trade Remedies

Our Trade Remedies practice team offers economic and legal advice to national and foreign companies and governments in antidumping, anti-subsidy, and safeguard investigations. Our advice also encompasses antidumping duties, sunset reviews, and anti-circumvention proceedings. We have represented the interests of several domestic industries such as poultry, agricultural products, textiles, sugar, clothing, footwear, home appliances, ferroalloys, and copper tubing. We have also advised foreign governments on establishing and implementing their commercial law. Furthermore, we have participated in international trade disputes based on treaties entered by Mexico, either as a panelist or as party counsel.

Services

Some of our Trade Remedies services are:

- Studies to identify and quantify dumping or subsidy practices.
- Studies on damage or threat of damage to domestic industries caused by dumping or subsidy practices.
- Legal representation in antidumping, anti-subsidy and safeguard investigations, as well as in antidumping duties, sunset reviews, and anti-circumvention proceedings.
- Economic and financial advice including “in situ” verifications of companies under investigation for alleged dumping practices.
- Commercial monitoring and alert systems for detection and prevention of unfair trade practices.
- Advice on trade litigation under NAFTA – USMCA and World Trade Organization provisions.
- Trade Planning to minimize risk of potential antidumping cases in USA.

Clients





Clients

SAI has advised many companies that have found in SAI a Strategic Ally.

Clients

SAI represents the largest companies in Mexico. Among the most representative are:

						
						
						
						

Clients

“ SAI is able to provide, like no other firm in Mexico, a combination of regulatory and economic practices within a legal practice. This perspective gives SAI a very particular character. More than an external office, we consider SAI to be an in-house counsel. ”



“ SAI's professional relationship with us can be summarized in a single word: integrity. That is the group's fundamental trait. Professionalism and commitment as well. They are the best in Mexico. They have provided support to BBVA Bancomer and the Mexican Banking Association that has been fundamental. ”



“ In SAI we found a broad-spectrum advisor that has been able to meet all our requirements over the years; there is no subject whatsoever where SAI has been unable to advise us and the outcome has always been extraordinary. It is very competitive worldwide and vaults over the bar set by any of the other large international firms. ”



Clients

“ *Professionalism and vision have been the hallmarks of SAI in every project where we have worked together. In each of these projects, SAI's contribution has been substantial to their success.* ”



“ *I am very pleased with this firm because it combines economics and law to provide added value. It is made up of a team that operates very coherently using these two approaches. It shares the same vision and is interested in understanding the current set of problems to be able to come up with ideas and run analyses and evaluations. Based on that, we are able to make medium- and long-term decisions.* ”



“ *SAI's added value lies in both its experience and the interest that it manifests in understanding and studying each of the businesses it deals with. It relates deeply and works with the client to understand its particular needs to provide appropriate solutions to each company.* ”



Awards



Awards

For many years, SAI has been distinguished with the most important recognitions awarded to its practitioners in its practice areas.



Awards

Among the latest recognitions granted to SAI are the following:

		
 <p>LEADERS LEAGUE Competition & distribution - Competition law & antitrust - Ranking 2019 - Law firm - Mexico</p>		
		



SAI Law & Economics has the pleasure to announce that it
has been awarded as:

LAW FIRM OF THE YEAR
on
COMPETITION AND ANTITRUST

by Best Lawyers Mexico 2019. For more information on the matter please
visit:
<https://www.bestlawyers.com/current-edition/Mexico>
Mexico City, December 2018





Partners

SAI's team is composed of leading professionals in the field, with the highest specialization and experience to meet the complex challenges of our clients.



Jaime Serra
Puche
Head Partner

Jaime is founder and president of SAI Law & Economics. He has more than 30 years of professional experience in areas such as international trade, free trade treaties, public finance, and economic competition; all of which he has practiced in public and private environments.



Hernán Sabau García

Investment Banking

Hernán is a founding partner at SAI Derecho & Economía, where he leads the Investment Banking area, which he created in 1999. He is also founder of Aklara and the NAFTA Fund of Mexico.



Beatriz Leycegui Gardoqui

International Trade and Foreign Investment

Former Undersecretary for Foreign Trade and Director of Legal Analysis during NAFTA negotiations at the Ministry of Economy. Partner and head of the International Trade Law Practice at SAI Law & Economics where she has worked from 1999-2006 and 2013- to present.



Lucía
Ojeda Cárdenas
Antitrust and
Competition

Lucia has over 20 years of professional practice in economic competition in the private and academic sectors. Furthermore, she has a vast experience in legal analysis of regulated markets and assessments concerning investment arbitration.



Luis Alberto Ibarra Pardo

Economic Consulting

Luis Alberto Ibarra has vast professional experience of more than thirty years in issues related to economic competition, public finance, investment project evaluation, infrastructure development, public-private partnerships, private equity and venture capital, agribusiness, and sustainability, among others.



José Ángel
Santiago Ábrego
Administrative
Litigation

His professional practice focuses on administrative contentious affairs. His experience comprises public service and private practice, as well as a close connection with the academic sector. He has been recognized in the individual ranking of Chambers and Partners Latin America since 2016.



Mariano Gomezperalta Casali

Corporate Practice

Mariano is the JV Partner in alliance with Robert Wray PLLC. He served as Legal Consultant to the Ministry of Economy and as legal advisor for international affairs to the President of Mexico. In the private practice, he has been practicing in the areas of corporate and transactional law for more than 15 years.

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