

# Marco Antonio Najera Martinez

## Partner

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Mexico City

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Marco Najera Martinez is a recognized go-to transactional and regulatory lawyer representing global companies doing business in Mexico. Marco represents Fortune 500 companies across many industries and sectors, including life sciences, health care, insurance, financial services, energy, and real estate. They rely on him with their most sophisticated transactions, mergers and acquisitions, as well as a full range of corporate, project and consumer financing, compliance, anti-corruption, consumer protection, product safety, data privacy, various regulatory matters, and securing a wide variety of government authorizations.

Marco advises foreign and Mexican corporations in various matters relating to economic competition and antitrust in Mexico, including:

- Merger control and concentrations
- Transactional & compliance antitrust advice
- Cartels
- Abuse of dominance
- Essential inputs and barriers to competition
- Notifications, investigations, public bids, dawn raids and consultations with the Mexican Antitrust Commission
- Antitrust litigation

Marco has a deep understanding of Mexico's important financial, legal, insurance, and labor reforms and helps his clients take advantage of the increasing opportunities available to them. He sees growing demand in the health care and life sciences arena – hospitals, food and beverage companies regulated by Mexican health laws, and nutritional supplements and pharmaceutical companies.

## Representative Experience

- Healthcare and life sciences regulatory advice, including representation of health institutions and pharmaceutical, medical device, food, and agroindustry companies in a wide range of transactions, product registrations, and licenses regulated by health laws in Mexico.
- Negotiation and preparation of transactional agreements, including acquisitions, mergers, joint ventures, supply and distribution, restructurings for major international companies; financial transactions including credit, secured transactions, transfers of financial portfolio, lease, financial lease and purchase-lease-back, among others.
- Federal regulatory advice, with strong emphasis in financial matters, including obtaining of authorizations from Mexican financial authorities to set up international financial affiliates and merge regulated financial entities.
- Providing antitrust advice and defense, as well as notifications and other procedures with the Mexican Antitrust Commission.
- Real estate transactions, with special emphasis on beach-restricted areas for hotel, resort and residential purposes involving trust structures, lease, construction and financing.

## Awards and Recognition

- Recognized, *The Best Lawyers in Mexico* (Steven Naifeh & Gregory White Smith eds., Woodward/White Inc.)
  - Tax Law (2020)
- Antitrust & Competition Lawyer of the Year – Mexico, *Lawyer Monthly* (2017)
- Recognized, Latin American Corporate Counsel Association
  - Antitrust (2017, 2018, 2019, 2020)
- Recognized, The Legal 500 Latin America
  - Competition and Antitrust (2012, 2013)
  - Insurance (2012, 2013, 2017)
- Recognized, Chambers Latin America: Latin America's Leading Lawyers for Business
  - Insurance (Mexico) (2012-2015)
- Recognized, Chambers Latin America: Latin America's Leading Lawyers for Business
  - Competition/Antitrust [Mexico] (2011-2015)

## Affiliations

- Member, Mexican Bar Association
- Member, Ilustre y Nacional Colegio de Abogados

## Presentations and Publications

- Co-author, "Doing Business in Mexico," *2019 Foley Automotive White Paper* (January 23, 2019)

## Languages

- Spanish
- English



FOLEY & LARDNER LLP

- Knowledge in basic French

## Sectors

- Cannabis

## Practice Areas

- Antitrust & Competition
- Corporate
- Insurance
- Mergers, Acquisitions & Complex Reinsurance Transactions
- Regulatory Compliance

## Education

- Instituto Tecnológico Autónomo de México (J.D., with honors, 1997)
- Escuela Libre de Derecho (LL.M., 2000)

## Admissions

- Mexico