GARRIGUES

Max Ernesto Hernández Ernult

Principal associate

Mexico City

max.ernesto.hernandez@garrigues.com

Paseo de las Palmas 525, Piso 6

Col. Lomas de Chapultepec

Ciudad de México, 11000 (México)

Tel: +52 55 5029 8500

Corporate and M&A
Energy

Max advises Mexican and international clients on various legal matters, specifically in connection with transactional matters and has extensive experience in advising clients in the energy sector. Max's experience includes activities in the electricity sector, such as power plants (including renewable power plants), suppliers, electricity retailers and final users in regulated energy markets. He also provides advice to clients in the hydrocarbons industry (upstream, midstream, and downstream activities), with experience in crude oil, natural gas and refined oil products.

Max's professional practice covers several areas, including transactional, regulatory, corporate, environmental and antitrust matters, which has enabled him to participate in the implementation of several investment projects in Mexico and also in the day-to-day operations of companies in several sectors, such as the energy, automotive, infrastructure, mining, health, manufacture and construction industries, among others.

Experience

Max Hernández is a principal associate in the Corporate and M&A and Energy practices.

He has a solid professional track record in the energy, automotive, international trade and antitrust sectors and has led complex legal and regulatory transactions in Mexico, assisting clients with their expansion processes, regulatory compliance and the structuring of strategic projects.

In the energy sector he has advised major international companies in the development of infrastructure projects, including service stations, oil and gas storage terminals and natural gas pipelines. His most prominent projects include representing clients in public tenders for marine terminals, legal structuring of fuel supply activities and the negotiation of regulatory contracts and permits. He has also worked on renewable energy, cogeneration and qualified supply projects, assisting companies with regulatory compliance and the negotiation of complex energy contracts.

In the automotive industry, he has participated in the implementation of partnership agreements between large global companies for the establishment of manufacturing plants in Mexico. He has also advised automotive companies on energy supply matters, including self-supply schemes and the structuring of

regulatory contracts to guarantee supply at their production facilities.

In the area of international trade his experience includes advising companies in connection with the import, storage, transport and export of refined oil products and natural gas. He has assisted international traders in evaluating business models for the purchase and export of crude oil and in the sale and import of liquefied natural gas. He has also supported clients in regulatory and contractual processes with entities such as PEMEX and the National Hydrocarbons Commission.

In the antitrust area, he has advised companies from various sectors on the implementation of regulatory compliance policies, on investigations into possible existence of monopolistic practices and on notification of concentrations to the Federal Antitrust Commission.

Finally, he has assisted clients with the creation of corporate vehicles in Mexico, including companies, branches and representative offices, as well as with specific projects in the mining, technology and manufacturing sectors. His integral approach and experience in the negotiation and structuring of contracts make him a go-to lawyer in his field.

He is fluent in Spanish and English.

Academic background

- Master of Laws (LL.M.), The University of Texas at Austin, USA (2022).
- Diploma in Antitrust, Universidad Iberoamericana, Mexico, (2015).
- Degree in Law, Universidad Nacional Autónoma de México (UNAM), Mexico (2013).

Memberships

- Member of the Association of International Energy Negotiators (AIEN, formerly AIPN).
- Member of the Mexico Chapter of the Women’s Energy Network.
- Member of the Rocky Mountain Mineral Law Foundation.
- Member of the Institute for Energy Law.

Distinctions

- Recommended by Legal 500 in Energy and Natural Resources (2020 and 2021).
- Singled out as an expert in renewable energy by The Law Review (2020 and 2021).

Publications

- Chapter on Mexico in The Renewable Energy Law Review, The Law Review (2020-2021). Coauthor
- “Aspectos fiscales en Contratos de exploración y extracción de hidrocarburos” (*Tax aspects in oil and gas exploration and extraction contracts)*. (2016). Author
- Chapter on Mexico, International M&A Joint Venture Committee Newsletter, published by the American Bar Association International Law Section. (2015). Contributor.

- Chapter on Mexico, “The Leading Guide to Renewable Energy Law in Latin America”, Jeffery R. Atkin and Francisco Cerezo, members of Foley Lardner, LLP. (2014). Co-author