

2009 HOSPITALITY LAW CONFERENCE

Doing Hotel Deals Around the Globe:



A Primer for U.S. Lawyers

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Alejandro Ortiz is a Corporate and Global Projects partner at Gardere Wynne Sewell LLP. His practice focuses on the corporate and tax planning of international transactions and corporate finance, including international acquisitions of all types of businesses, procurement of government contracts in Mexico and Latin America, and counsel on private securities offerings, commercial loan transactions, privately placed investments, debt restructurings and bond transactions.

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III. Culture: Language and Local Participation

A. Customs, Culture and Religious Matters

B. Language Issues

C. Local Partners



IV. International Compliance and Governmental Matters

A. Foreign Corrupt Practices Act

B. Patriot Act/OFAC



V. Real Estate Stuff

- A. Recordation, Memoranda and Notaries
 - 1. Recordation of Memoranda and Other Documents
 - 2. The Notary
- B. Title Insurance
- C. Restriction on Foreign Ownership
- D. Recognition Agreements



VI. Hotel Operational Matters

- A. Management Contracts versus Leases
- B. Privacy Laws
- C. Entity Formation
- D. Bank Accounts
- E. Employment Matters
 - 1. Employment at Will
 - 2. Profit Sharing
 - 3. Unions
 - 4. Expatriate Workers



VII. Taxation (aka Getting Your Money Home)

- A. Jurisdictional Tax Matters
- B. Withholding
- C. Value Added Tax
- D. Document Bifurcation
- E. Transfer Taxes



VII. Miscellaneous

- A. Currency Issues
- B. Hotel Branding and International Trademark Protection
- C. Tidbits for your Client



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