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MEJÍA  
GUIZAR  
& KARGL  
ABOGADOS

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Administrative Law · Public Procurement · Health Law  
Antitrust · Compliance · Constitutional Litigation



MEJÍA, GUIZAR & KARGL 2026  
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**Mejía, Guízar y Kargl, S.C.** has been, since its inception, a strictly specialized firm in administrative law, with particular emphasis on public sector procurement and regulatory law (corporate law, antitrust, consumer protection and data protection as they relate to public sector procurement and healthcare), as well as administrative and constitutional litigation in these fields.

The firm regularly contributes to publications related to its specialty in administrative law, such as Chambers and Partners and V-Lex on an annual basis, and has been recognized in the ranking of top law firms in Mexico in the field of administrative law (*Best Lawyers 2025-2026*, *Tops México*).

The firm also advises associations representing companies in the pharmaceutical industry (AMIIF) and medical devices (AMID), and serves as external Regulatory Compliance Officer for several companies and associations.

The firm's policy is built upon three interrelated pillars of particular importance: i) Specialization in administrative law (both generally and in its principal branches, such as public procurement, health law and antitrust in areas of administrative law), which has made us one of the first and most recognized firms in the country focused exclusively on these matters; ii) *Compliance*, since administrative law requires constant interaction with government authorities by both our clients and their advisors, making it necessary to provide counsel and act in strict observance of domestic legal standards (the National Anti-Corruption System, the Federal Anti-Corruption in Public Procurement Act, industry and public officials' Codes of Ethics), international standards (*FCPA*, *UK Bribery Act*), as well as our clients' own corporate governance and internal control rules; and iii) Understanding our clients' business needs, for which we seek not only to act as advisors for risk prevention or containment through consulting or litigation, but to proactively participate in commercial strategies through advice, training and guidance in strict compliance with the legal framework, identifying opportunities and preventing contingencies.

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## I. Areas of Expertise and Specialization

### General Administrative Law

The firm specializes in constitutional and administrative litigation before all types of authorities and courts at the federal, state and municipal level, including:

- i. Filing of *amparo* proceedings against laws, regulations and other general provisions contrary to constitutional rights;
- ii. Filing of constitutional controversies and actions of unconstitutionality under Article 105 of the Constitution;
- iii. Analysis and legal opinions on the constitutionality or legality of laws, regulations and governmental acts, as well as confirmation of interpretive criteria regarding the application of general administrative provisions and the procedures regulated by various administrative statutes;
- iv. Advice and, where applicable, defense in administrative proceedings such as inspections, all types of official requests, protection of private information —classified or confidential— held by the Public Administration, or administrative sanction proceedings, among others;
- v. Filing of nullity proceedings before the Federal Court of Administrative Justice (TFJA) and before the Administrative Courts of the States and Mexico City against all types of administrative acts;
- vi. Filing of administrative appeals under the Federal Administrative Procedure Act and those established in specific statutes —as well as their local counterparts—;
- vii. All matters related to the State's patrimonial liability and administrative liability of public servants;
- viii. Advice, defense and proceedings necessary to obtain concessions, permits or any type of authorization regulated by the various administrative framework statutes;

- ix. Advice on gaming and lottery matters;
- x. Lobbying before legislative and administrative authorities;
- xi. Personal data protection; and,
- xii. In general, advice on all matters related to administrative authority acts, both federal and local, in areas such as consumer protection, industrial property, expropriation, mining law, land use, commercial establishment regulation, etc.

## Public Procurement

The specialized nature of our firm has allowed us to represent both domestic and international clients<sup>1</sup> in major procurement proceedings in Mexico, such as:

- i. Legal advice on procurement procedures and contract compliance throughout the life of the administrative contract for the implementation of one of the first long-term service delivery projects (PPS) in Mexico;
- ii. Planning of various long-term administrative contract proposals before federal authorities (various strategies were implemented to obtain contracts or new projects with authorities based on innovation and administrative efficiency approaches);
- iii. Year-over-year participation in the main public sector procurement proceedings in the healthcare sector.
- iv. Participation in the principal public procurement proceedings in strategic matters (core productive activities) of Petróleos Mexicanos and its productive subsidiary companies.
- v. Participation in challenge proceedings, nullity suits and *amparo* proceedings where precedents have been established in the field of public procurement.
- vi. Participation in the first international procurement process for healthcare supplies through governmental organizations, having represented the industry in the first open parliamentary session held in Mexico (amendment to Article 1 of the Public Procurement Act).

Our services in public procurement include:

- i. Consulting and advice on the implementation and interpretation of federal and state public procurement regulations;
- ii. Training on best practices for interaction with public officials (*compliance*) and anti-corruption practices;
- iii. Training on best business strategies in public tenders;
- iv. Involvement and follow-up in bid submissions (including proposal review and preparation of questions for clarification meetings); and,
- v. Filing of legal remedies (challenges, administrative contentious proceedings and *amparo* suits).

## Health Law

In health and regulatory matters, the Firm provides its clients with consulting and litigation services, including, among others:

- i. Consulting on compliance with the General Health Act and its various regulations, as well as official Mexican standards and other generally applicable provisions;
- ii. Regulatory compliance audits;
- iii. Pharmaceutical and medical device patents;
- iv. Pharmacovigilance and technovigilance;
- v. Proceedings before COFEPRIS;
- vi. Legality and constitutional litigation in this field; and,
- vii. Strategic regulatory advice (analysis of both litigious and non-litigious approaches regarding official standards, institutional formularies and public policies in the field).

## Antitrust

With our experience in consulting and litigation in this field, as well as our specialization in Administrative Law, we seek to address advisory and litigation needs in antitrust matters in areas and sectors related to administrative law (especially in the pharmaceutical sector, public procurement and telecommunications).

Our involvement in these matters consists of assisting our clients both in preventing and correcting contingencies, seeking to establish strategies that allow them to carry out their activities safely vis-à-vis the administrative authority and their competitors, within the antitrust regulatory framework in areas regulated by the administration. Among the activities and services we provide:

- i. Antitrust compliance programs, developed on a customized basis, including training of company personnel to enable them to detect and reduce potential risks arising from their daily activities, as well as to detect potential violations of antitrust legislation by third parties, whether competitors or not;
- ii. Advisory and audit services to determine the legality of policies and actions to be implemented in our clients' commercial activities, as well as in their relationships with competitors, customers, suppliers, franchisees and distributors;
- iii. Analysis of commercial transactions to determine whether notification to COFECE is required, as well as advice in the notification procedure in the case of mergers, and analysis of third-party mergers that could generate negative consequences for our clients, including the filing of complaints;
- iv. Advice on administrative proceedings and procedures in this field; and,
- v. Advice and handling of investigation and sanction proceedings for anticompetitive practices at the administrative stage, as well as challenges before courts of the decisions issued by COFECE.

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## II. Our Partners

The firm is composed of three partners and a team of attorneys and technical specialists in various areas related to our practice. Our partners are:

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### MARIO MEJÍA Y GUÍZAR

Attorney at law from Escuela Libre de Derecho (1965-1969); diploma in Human Rights from Universidad Iberoamericana (1993).

In the public sector (where he served for 30 years until 2000) he held, among other positions, that of Director of Litigation, First Deputy Attorney General of the Federation, Deputy Attorney General for Federal Tax Investigations, all within the Tax Attorney's Office of SHCP, Technical and International Negotiations Director General of the Undersecretary of Revenue at SHCP, General Administrator of Federal Tax Audit of SAT, Legal Director of SCT, Director General of Regulations at CNBV, as well as external legal counsel on tax matters for IMSS and external legal counsel for the Political Party Oversight Division of the Federal Electoral Institute.

In the private sector, in addition to being a founding partner of the firm in 2000, he served as Legal Director of Farmacias Similares, S.A. de C.V. and Legal Director of construction group VGI, S.A. de C.V.

He was honored with the Grand Cross of Honor for Merit in Public Administration awarded by the Barra Mexicana, Colegio de Abogados (1999).

He has taught tax procedural law courses for public servants at SHCP, as well as training courses on crimes and audit powers at IMSS.

He has published various articles in nationally circulated journals, and the books "Los Delitos en la Ley del Seguro Social" and "Manual de Procedimientos para la Persecución de los Delitos Previstos en la Ley del Seguro Social."

He chaired the Tax Commission of CONCAMIN in 2009 and 2010.

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## MARIO MEJÍA KARGL

Law degree from Universidad La Salle, A.C. (2000-2005), graduated with outstanding academic performance certified by CENEVAL, Master in Public Administration from Universidad Anáhuac del Norte, A.C. (2007, research on public sector procurement) and doctoral candidate in Law at Universidad La Salle (research on access to the human right to health; shortages of supplies in the public sector).

In the public sector, he served as Department Head in the General Advisory Coordination of the Undersecretary of Revenue at SHCP.

In the private sector, he worked at Hamdán, Manzanero y Asociados, S.C. in the administrative consulting and litigation department, as well as at Basham, Ringe y Correa, S.C., where he headed the administrative litigation and public procurement practice.

Full professor of *Amparo*, *Amparo* Litigation Practice and Administrative Law at Universidad La Salle, Mexico City campus, where he has received the *Indivisa Manent* award, as well as professor of Administrative Contentious Law in the Strategic Litigation Specialization at UNAM's Institute of Legal Research, member of the Barra Mexicana, Colegio de Abogados, speaker at various forums (focused on *amparo*, anti-corruption practices and public procurement), and participant in various media activities and publications related to his practice and the cases he has litigated.

His professional practice includes involvement in the country's principal public procurement proceedings in various sectors (health —pharmaceuticals and devices—, energy, public works and general procurement of goods and services), in strategic litigation in both nullity and *amparo* proceedings, and as a technical-legal advisor in the drafting of laws, regulations and sector-specific secondary legislation.

A specialist in administrative law, regulatory law, public procurement and anti-corruption practices, he has worked with various pharmaceutical and medical device industry clients for twenty years and has participated in the most significant litigation related to public procurement and antitrust in the healthcare sector.

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## FERNANDO MEJÍA MÉNDEZ

Law degree from Instituto Tecnológico Autónomo de México "ITAM" (1992-1996), with studies in public procurement from INAP. He has served as professor of civil law at Universidad Anáhuac, Cancún campus, and adjunct professor of "International Conflict Resolution" at Universidad Iberoamericana, as well as speaker at the Fifth and Sixth Seminars on International Commercial Arbitration organized by the Arbitration Commission of the Mexican Chapter of the ICC and Escuela Libre de Derecho, at the "Business Law" Diploma organized by ENEP Aragón (1999), at the Mining Tax Seminar organized by the Mining Chamber of Mexico (1999-2002), at the "Product Liability" Seminar organized by the Mexican Chapter of the ICC (2004), and at various forums on government procurement (IMEF, National Construction Industry Chamber, among others).

Since July 1996, his professional practice has included both litigation and consulting in administrative law, primarily in public procurement and public works, gaming and lotteries, health, urban development and environmental law (including national waters) at the firms Miranda, Estavillo y Hernández, S.C. and Basham, Ringe y Correa, S.C.

In the field of public tenders, he has participated in related projects at both the federal and state level, advising companies on projects involving various entities such as SCT, SHCP, the Ministry of Health, IMSS, ISSSTE, the Federal Electoral Institute, Pemex, its subsidiary entities and majority state-owned enterprises, and CFE, as well as local entities including the Mexico City Public Works Office, the Mexico City Metro system and state and municipal Water Management Agencies, the Jalisco State Sports Institute, and local health institutions, among others.

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### III. Pro-Bono Activities

- Participation in the litigation-based defense of human rights of vulnerable groups, as well as in the creation of significant judicial decisions through strategic litigation.
- The firm coordinates the legal actions of the National Association to Help People with Disabilities, A.C. (AYUPADI) through legal mechanisms to improve the quality of life and inclusion of persons with any type of disability by raising awareness of their needs.
- Participation in various academic projects related to health and *Compliance* at Universidad La Salle, Mexico City campus.

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## APPENDIX A — NOTABLE MATTERS

The Firm's experience encompasses the representation of clients engaged in virtually all sectors of economic activity, both industrial, commercial and services, including the healthcare sector (with particular emphasis on this area), telecommunications, transportation, education, real estate, retail, food and beverage, machinery and equipment, among others.

### ***Participation in the new public procurement framework***

Since December 2018, the firm has been actively involved—through client advisory services, training sessions, conferences at pharmaceutical and medical device associations and even legal challenges—regarding the new public procurement schemes implemented by the head of the Federal Executive Branch.

Since 2018, the firm, together with Creel Abogados, has authored the Mexico Chapter on Public Tenders and Government Contracts for Chambers and Partners.

In 2019, the firm represented AMID before the first open parliamentary session convened by the Chamber of Deputies.

### ***Most significant antitrust litigation***

#### **Absolute monopolistic practices in IMSS tenders (2010)**

In 2010, after COFECE issued a resolution finding that one of the country's leading pharmaceutical laboratories and two of its executives had committed (among many other laboratories) an absolute monopolistic practice in IMSS public tenders, the firm intervened in all three matters by filing *amparo* proceedings. This case was significant as it was the first case of absolute monopolistic practices in public tenders, and it was a matter that prompted the enactment of the new antitrust law. *Amparo* was granted in all three cases at first instance. Subsequently, a Circuit Court heard two *amparo* cases (from other pharmaceutical laboratories) denying relief, while our three cases were appealed by the authority before the same Court that had previously reversed the rulings of other laboratories. The Supreme Court's power of attraction was successfully invoked. After years of litigation, the Second Chamber of the

Supreme Court reversed all *amparo* grants (we consider mainly for political reasons), but the following was achieved: i) creating a case that led to significant judicial reflection and the exercise of the Supreme Court's attraction power; ii) a reduction of the fine imposed on the laboratory; and iii) the granting of *amparo* (and thus recognition of non-liability) for the two company executives.

### **Oil Workers' Union — TAR (2013)**

In 2013, the firm represented the Oil Workers' Union after it was named as a suspected party in monopolistic practices in the market for transportation, storage, distribution and first-hand sales of petroleum products known as "TAR." Before COFECE, it was achieved that the Union was not sanctioned for acting in defense of its own interests. The resolution was nevertheless challenged on the grounds that the Commission did not recognize it as a strategic area excluded from antitrust regulation. The first definitive injunction against an order to suppress a monopolistic practice was obtained (even after the constitutional reform prohibiting injunctions against such Commission determinations) by invoking the principle of conventionality (Constitution vs. international treaties), although it was later reversed by a Circuit Court. Nonetheless—together with the *amparo* filed by Pemex—the Supreme Court determined that it was indeed a strategic area, granting *amparo*.

### **Grupo Televisa — Substantial market power in the STAR market (2015)**

In 2015, following the recent constitutional telecommunications reforms, the IFT determined that Grupo Televisa did not have substantial market power in the "STAR" market. Representing Total Play, Televisión Azteca and Canal 40, *amparo* proceedings were filed. Relief was ultimately granted and the IFT determined that Grupo Televisa did have substantial market power. The firm participated from the drafting and filing of the *amparo* suit through its resolution by the Circuit Court—which granted relief—and the issuance of the IFT's preponderant agent determination.

### **Investigation into monopolistic practices in pharmaceuticals (2018)**

In 2018, COFECE conducted an investigation into absolute monopolistic practices in the pharmaceutical production, distribution and commercialization market. The firm represented a multinational laboratory in the investigation, achieving that it was not named as a party when the Statement of Probable Liability was issued in 2019, by demonstrating its lack of involvement.

### **Practices in Mexican football (2021)**

In 2021, the firm participated in the defense and representation of a company in the sector in connection with the investigation into practices in Mexican football (retention clauses and transfers).

### **Monopolistic practices in the healthcare sector (2023)**

In 2023, the firm participated in the defense and representation of various pharmaceutical and medical device companies in matters involving absolute and relative monopolistic practices (blood banks, *fee for service*).

### ***Most significant litigation in other areas***

#### **Amendments to the LFPA — Construcciones y Auxiliar de Ferrocarriles**

Representing Construcciones y Auxiliar de Ferrocarriles, various administrative proceedings and *amparo* suits were filed, which led to amendments to the Federal Administrative Procedure Act in order to clarify the challenge system established in said framework statute.

#### **Federal Express — First federal international freight permit (2005)**

Representing Federal Express Holdings México, through *amparo* proceedings before a Circuit Court, the first federal international freight transportation permit was obtained between two points within national territory (even though the applicable law conditioned permits on the issuance of corresponding regulations, which had not been enacted for years), achieving judicial recognition that the Executive's failure to issue regulations was not a valid reason to deny a permit (a right of any individual meeting the requirements) established by the legislature.

#### **Coparmex — Amparo against constitutional amendment (2007)**

In December 2007, the firm was engaged by COPARMEX to develop the strategy (including the drafting of the complaint solely regarding justification of standing) for the admissibility of an *amparo* suit challenging an amendment to Article 6 of the Constitution (a consequence of the 2006 electoral campaigns). This was the third *amparo* suit since 1917 to be admitted challenging an amendment to the Constitution itself (the Supreme Court determined the admissibility of the claim).

#### **Peritoneal dialysis — Injunction against the denial of injunction (2008)**

In 2008, one of Mexico's leading pharmaceutical companies had been awarded a contract by IMSS to serve all patients requiring automated and continuous ambulatory peritoneal dialysis nationwide (one of the institute's largest expenditures given the cost and importance of this life-sustaining therapy). Competing companies filed a challenge before SFP, which declared the award void (nullifying the contracts). The company challenged the resolution and requested an injunction (to preserve the contracts), but SFP denied the injunction. At that point the firm intervened, proposing and filing an indirect *amparo* to challenge the denial of the injunction while simultaneously requesting in the ancillary proceeding an injunction against the denial of the injunction (i.e., an injunction against a negative act—the effect of the injunction being the same as the merits of the *amparo*). The *amparo* succeeded, achieving the injunction against the denial of the injunction (one of the first precedents of this type), enabling the company to fulfill the originally awarded contract.

#### **Human right to water — Xochitepec, Morelos (2010)**

In 2010, prior to various constitutional reforms on human rights, in collaboration with the NGO Hic-AL (as part of the litigation team), the firm participated in the country's first strategic litigation case on the human right to water (prior to its constitutional recognition) on behalf of a vulnerable community in the Municipality of Xochitepec, State of Morelos. *Amparo* was granted recognizing the human right to water; accordingly, the Federal Judiciary ordered the responsible authorities to install piping, to deliver water to the complainant's home (extending the piping to the entire community, effectively overcoming the relativity principle of judgments through a justified criterion) and, while infrastructure was being installed, to deliver water by truck. It was also achieved that the Supreme Court's First Chamber recognized that the human right to water translates into 50 to 100 liters per person per day. This precedent has been considered in various federal and state Water Act proposals, constituting the first precedent of its kind in Mexico.

#### **Tariff classification of pharmaceutical product (2012)**

In 2012, a lawsuit was initiated that was ultimately resolved through direct *amparo* in favor of one of the world's leading pharmaceutical and medical device laboratories, achieving recognition that one of its principal products—whose national tariff classification had been changed—should be treated as a medicine, even though it was not technically one. The technical complexity of this case lay in achieving that a product that was not a medicine (but rather a specialized food) would, given regulatory gaps attributable to the tax and health authorities, be treated analogously as a medicine (which offered various tax, but above all technical and health advantages reflecting reality).

#### **SCJN Protocol — Development and infrastructure projects (2014)**

In 2014, the firm collaborated with the NGO Hic-AL and the Supreme Court in developing the Protocol of Action for Those Administering Justice in Cases Involving Development and Infrastructure Projects (particularly regarding injunctive relief).

#### **Post-earthquake strategic litigation — Access to justice (2017)**

In November 2017, the firm represented a company in an *amparo* case involving strategic litigation. Although the matter arose from civil-commercial proceedings (an enforcement action ordering the seizure of accounts for millions of pesos and various commitments before major health authorities), the parties had reached a settlement agreement (handled by another firm specialized in that area), which could not be filed with the court due to damage caused by the September 19, 2017 earthquake. The firm was engaged to devise and ultimately file a strategic *amparo* suit arguing violation of the right of access to justice (given the delay by the Superior Court in restoring court operations, drawing comparison to the 1985 situation and the swift judicial response at that time), with the

particular challenge of obtaining a provisional injunction ordering the court to reopen and process the settlement. The provisional injunction was granted, enabling the timely filing of the settlement, the lifting of the seizure, and the restoration of court operations.

#### **Chivas TV — Telecommunications and OTT (2017)**

In 2017, the firm represented—and continues to represent—Chivas de Corazón (Chivas football club) against actions by PROFECO in telecommunications matters, regarding various sanctions related to the implementation of the Chivas TV system. Significant fine reductions were obtained, and the case—which is the first to address that authority's powers in telecommunications, particularly regarding "OTT" services—is currently pending.

#### **Presidential ban on pharmaceutical distributor (2019)**

In 2019, a lawsuit was filed against a ban decreed by the President barring a pharmaceutical distributor from being awarded government contracts, achieving an injunction against such ban.

#### **Amparo against international intergovernmental procurement (2020)**

In 2020, the firm represented both the pharmaceutical and medical device industries in the *amparo* filed against the amendment to Article 1 of the Public Procurement Act (international intergovernmental procurement).

#### **COFEPRIS regulatory omissions (2023)**

In 2023, the firm filed over 100 lawsuits on behalf of various clients against COFEPRIS's failure to modify or issue health registrations, achieving success in all cases to date and, in some cases, obtaining injunctions to exercise the effects of the registration modification during the pendency of the proceedings.

#### **Birmex — Consolidated healthcare sector proceedings (2024-2025)**

In 2024 and 2025, the firm advised leading pharmaceutical and medical device companies, as well as the industry associations themselves, in the consolidated proceedings conducted by Laboratorios de Biológicos y Reactivos de México, S.A. de C.V., including legal positioning of the industry before the Legislative and Executive Branches, including litigation arising from such proceedings (mostly of a strategic nature).

<sup>1</sup> Among our previously represented clients in the healthcare sector: 3M, Abbott, Abbvie, Allergan, Arthrex, AMIIF (current external Regulatory Compliance Officer), AMID, Bayer, Baxter, B. Braun, Biogen, Becton Dickinson, bioMérieux, Boehringer Ingelheim, Cardinal Health, Edwards, Karl Storz, Farmacias Similares, GE Healthcare, Ipsen, Galderma, Grünenthal, Guerbet, Hill Rom, Liomont, Novartis, Maypo, Medtronic, Mundipharma, Olympus, Pfizer, Pentamed, Promedon, Sanofi, Smith & Nephew, Revvity, Siegfried Rhein, Stendhal, Sandoz, Stryker, Takeda, Teva Pharmaceutical, Werfen, Quirmex, Ultra, among others.

Clients in other sectors: ABB Vecto, ADM, Hitachi, Ecolab, Chivas de Corazón (football club), Coca Cola Export Corporation, Heidelberg, Mapfre, Mitsubishi Motors, Grupo Bal (El Palacio de Hierro), Jugos del Valle (Coca Cola Femsa), Grupo Salinas (Total Play, TV Azteca, Canal 40), Semex, Signa, Turner Broadcasting System (CNN), among others.