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Law and Business Review of the Americas

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Section of International Law and Practice





A journal of law, business and policy, co-sponsored by the ABA Section of International Law and Practice, Southern Methodist University School of Law (and Law Institute of the Americas), with the SMU School of Business, the SMU Departments of Economics and Political Science, and the Centre for Commercial Law Studies (Queen Mary and Westfield College, University of London).

In This Issue:

	-+:		
•		~14	•

Articles	
Preventing and Containing International Financial Crisis: The Case of Brazil	31
Comparative Analysis Between U. S. and Mexican Commercial Real Estate Transactions (With Tax Considerations Commentary) 50 Patrick W. Martin)7
Financial Services and Regional Integration: A Comparative Snapshot	19
Lessons of the Financial Crisis in Ecuador 1999	39
Heavy Reliance on Hydro-Electric Power, Lack of Investment in Transmission, Attempts to Encourage Gas-Fired Generation, a New Legal Regime and the Crisis of Supply – Sound Familiar?	25
The Doctrine of Inevitable Disclosure and its Inevitable Effect on Companies and People	ŧ7
Recent Developments - Investment Issues in the Americas 67	73

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Editorial and Submission Policies:

This journal is a quarterly publication produced by Kluwer Law International in association with the Section of International Law and Practice of the American Bar Association and Southern Methodist University Dedman School of Law (and its Law Institute of the Americas). The journal relies on the ongoing cooperation of the SMU School of Business, the SMU Departments of Economics and Political Science, and the Centre for Commercial Law Studies and its London Institute of International Banking, Finance and Development Law at Queen Mary College at the University of London.

Aims and Publication Policy:

This journal addresses the legal, business, economic, political and social dimensions of Western Hemispheric integration efforts (e.g., NAFTA, FTAA, MERCOSUR, etc.), their implementation, their future evolvement and expansion and their overall impact on doing business in the Americas. The journal will combine practical and policy implications of these integration processes. As such it will cover not only matters of immediate concern and interest, but also matters respecting reform of legal, business, economic, political and social structures within the various countries in the Western Hemisphere. Subject matter concerning other regional integration efforts in the world and various other comparative topics in the international trade and investment areas will also be addressed, from time to time.

However, topics of particular concern to the journal will include: (1) free trade, direct investment, licensing, finance, taxation, litigation and dispute resolution and organizational aspects of NAFTA and other specific integration efforts and their specific implementation. For practical reasons, English is used as the language of communication; (2) subject matter involving economic, legal, political and social integration and reform effects in Latin and Central America and in the Caribbean Basin; and (3) FTAA implications.

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readers outside the specific expertise. Special terms and abbreviations should be clearly defined in the text or notes.

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At the time the manuscript is submitted, written assurance must be given that the article has not been published, submitted, or accepted elsewhere. The author normally will be notified of acceptance, rejection, or need for revision within 8-12 weeks.

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Southern Methodist University Dedman School of Law's Law Institute of the Americas

(formerly SMU Centre for NAFTA and Latin American Legal Studies*)

Established in 1952, the Law Institute of the Americas at Southern Methodist University Dedman School of Law was originally designed to promote good will and to improve relations among the peoples of the Americas through the study of comparative laws, institutions and governments respecting the American Republics, and to train lawyers in handling legal matters pertaining to the nations of the Western Hemisphere. Today, in reviving this institution, the Law Institute of the Americas comprises meaningful academic research, teaching and programs pertaining to the "NAFTA/FTAA processes" and other Western Hemispheric integration efforts; to Latin and Central American law and judicial reform, particularly focusing on Argentina, Brazil, Chile, Guatemala, Mexico, Peru and Venezuela; and, to a more limited extent, to Canadian legal issues, particularly as they interrelate to the NAFTA/FTAA. The Law Institute of the Americas also is concerned with increasing (regional and hemispheric) legal and economic interconnections between the "NAFTA/FTAA processes" and European and Asia-Pacific integration activities.

The officers of the Institute are as follows: the Honorable Roberto MacLean, President; Professor Joseph J. Norton, Executive Director; and Professor George A. Martinez, Associate Executive Director. Professor Julio C. Cueto-Rua of Argentina, and one of the first SMU international LL.M. (then MCL) graduates, serves as Honorary President of the Institute. The Institute is also supported by a distinguished group of Professorial Fellows, Senior Research Scholars, Professional Fellows, and Student Research Fellows. Corporate sponsorship of the Institute has been provided by H.D. Vest Financial Services.

As the Institute focuses primarily on issues pertaining to the North American Free Trade Agreement and the pending Free Trade Area of the Americas, and the broader economic, political, legal and social integration processes underway in the Western Hemisphere, Law and Business Review of the Americas is one of its publications, and is produced jointly by the Law Institute of the Americas and the International Law Review Association of SMU. Other parties involved in the production of the journal are the SMU School of Business, the SMU Departments of Economics and Political Science, the University of London, Centre for Commercial Law Studies, the American Bar Association Section of International Law and Practice and Kluwer Law International.

^{*} From 1952 through the early 1970s, the name was the Law Institute of the Americas; in 1993, it was reactivated as the Centre for NAFTA and Latin American Legal Studies; and in 1998, it returned to its original name. For further detailed historical information on the Law Institute of the Americas, please refer to the LIA's Web site, http://www.law.smu.edu/lia.