

Alumni Interview Bernadette Miragliotta (1991–1996)

By Eva Jimenez



Bernadette Miragliotta is Managing Counsel of Global Litigation and Investigations at American Express. Prior to joining American Express, Bernadette served as Senior Counsel and Supervisor of Litigation at Verizon, and as an Assistant United States Attorney in the Eastern District of New York. Bernadette was an associate at Cleary from 1991 to 1996 in the New York office.

What practice area did you work in while at Cleary?

I was in the litigation practice group. When I was a Summer Associate at Cleary, I toyed with the idea of going into tax and spent some time in the London office working on several tax matters. It was a great opportunity, but I ended up loving litigation. The litigation practice group was very small at that time. I worked on quality cases very closely with partners. I think it would have been difficult for me to have had that experience at another firm.

Why did you choose Cleary?

I chose Cleary for the people. I read another alumni interview recently, and the interviewee said that she felt

very fortunate to have worked at Cleary because the people are so special. For me that was very true. Cleary is a wonderfully supportive community. During the beginning of my time at the firm, my dad was terminally ill and it was very important for me to be with him. I felt a tremendous amount of support from all of my colleagues and the firm. I was encouraged to spend that time with him. When I came back to the firm, my career was not impacted. I started to learn what it meant to be a good leader from my experiences at Cleary. I always think about the importance of showing empathy when leading my teams now.

After you worked at Cleary, you were an Assistant United States Attorney in the Eastern District of New York. What led you to that position?

When I was a second year law student, I debated whether I wanted to go to a firm or a prosecutor's office. I had always been drawn to the idea of trying cases. During my third year of law school, I interned at EDNY. I felt like I was truly contributing to the cases I worked on as an intern and decided to apply for a position there after Cleary.

What work did you specialize in as an Assistant United States Attorney?

Assistants work in the General Crimes Unit during their first year in EDNY. After that, everyone spends a year on narcotics cases. After my second year, I worked in the Violent Criminal Enterprises Unit. We were involved in every phase of cases against gangs in Brooklyn, from investigations to trying the cases. We also worked with

the FBI, DEA and, at times, as a joint taskforce with the NYPD. It was rewarding because I grew up in Brooklyn, and a lot of gang activity occurred there. I felt like I was helping eradicate crime in that area.

What skills did you learn in your work as an AUSA that have been useful to you in your roles as an in-house litigator?

As an AUSA, I learned how to run a case from its beginnings and drive it forward, which has been very valuable in all of my in-house roles. I can look at a case holistically, ask strategic questions, and anticipate next steps. My experience as an AUSA also gave me the confidence to question and direct our outside counsel in a respectful way.

Where did you work after that?

I was at Verizon for 10 years, first as Senior Counsel and, eventually, as Supervisor of Litigation. The litigation work there was very varied and included business disputes, regulatory disputes, consumer class actions, environmental law, and M&A litigation.

What led you to American Express?

When I interviewed at AmEx, I was drawn to the people and the work. I really enjoy working in a customer-facing business. And while I am responsible for all of litigation, I also feel like a trusted advisor to the business. An added bonus of joining AmEx was that I was able to come back to Manhattan because I was based out of New Jersey when I was with Verizon.

What is your current position like and what does a typical day look like for you?

At AmEx, I am responsible for all litigation and investigations other than those related to employment and patent issues. My days all vary. I love that I can talk about one aspect of the business in the morning and a different one in the afternoon. I may spend the morning checking in on pending litigation or discovery in a case. I may be discussing risk mitigation with outside counsel or working on an issue related to one of the regulatory investigations. In this sense, my position at AmEx reminds me a lot of my time as an AUSA. The work is fast-paced and always changing.

What has your team's experience been like during the pandemic?

I lead a global team, part of which is based out of Florida. One positive aspect that has emerged from this situation is that it has equalized our team's interactions because we all meet and work on the same online platforms. One of the things I miss the most about being at the office are the informal drop-ins. Before the pandemic, people could stop by your office to ask a quick question or run something by you. Now they have to schedule formal meetings, so I miss those casual moments. I also hope that this change is not deterring my business clients and business lawyer colleagues from running ideas by us, as we mitigate risk through early involvement.

What advice would you offer to a Cleary associate that wants to pursue a similar career path to you?

Embrace the opportunities that come your way, especially those that give you hands-on experience. During my time at Cleary, I took on several pro bono trials. I remember seeing David Brodsky trying some of those cases and learning from him. As an associate, I also worked on a large products liability case where I had the opportunity to conduct depositions and be very involved in trial. Overall, I would tell an associate to be thoughtful about what they would like their future career to look like, but to also keep an open mind to the opportunities that come their way.

As for an associate who may be interested in going in-house as a litigator, I would recommend they take advantage of all of the experience and training they're given at Cleary. When hiring, I usually look for experienced litigators because so much of what we do is based on judgment and the ability to look at a case holistically. If a candidate has had an in-house secondment experience, that's even better.

Is there anything that you would have done differently on your path to where you have gotten?

I wish I had clerked. I only looked at clerkships close to the New York area and that was limiting. In retrospect, I wish I would have been open to clerking anywhere.

Have you picked up any hobbies since the pandemic started?

Before COVID started, my husband and I were traveling a lot. Since the pandemic began, we have been exploring local hikes in our home state of New Jersey. I have a greater appreciation for New Jersey now, it's certainly called the "Garden State" for a reason.

Have you read any good books recently that you would recommend?

I recently read and would recommend *Pachinko* by Min Jin Lee. It was on everyone's list a few years ago, but I just got around to it. It's a historical fiction novel and deals with Japanese and Korean relations.