



## Pamela A. Miller

Partner

New York

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Pamela Miller represents banks and financial institutions in litigation relating to bank liability, fraud, bankruptcy, regulatory improprieties, and securities matters, and has conducted internal investigations involving anti-money laundering compliance, securities fraud, internal and corporate fraud, accounting fraud, and market manipulation. Pam is also a member of O'Melveny's Policy Committee, and the firm's Management Team, which develops and implements O'Melveny's strategic plans.

In 2018, *Crain's New York Business* recognized Pam as a "trailblazer...who found multiple paths to excellence" in its inaugural list of Leading Women Lawyers in New York City. She was also recently recognized by *The Legal 500 US* for her distinguished career in financial services litigation.

Pam's clients benefit from her wealth of experience before major government agencies including the Department of Justice, the Securities and Exchange Commission, the Commodity Futures Trading Commission and the New York State Attorney General's Office.

Pam is a strong advocate of diversity in the legal profession. She has collaborated with several clients to design and implement programs to enhance the diversity of client teams, and she regularly discusses diversity initiatives at client and industry events. She is a member of O'Melveny's Diversity and Inclusion Committee, and a former member of the New York City Bar Association's Committee on Women in the Profession.

### Admissions

#### *Bar Admissions*

New York

#### *Court Admissions*

US District Court, Eastern, Southern, and Western Districts of New York

US Supreme Court

US Court of Appeals, Second Circuit

### Education

Columbia University, J.D., 1997

Princeton University, B.A., 1992, *cum laude*

## Experience

### Financial Services Litigation

- Secured a win for client Bank of America when plaintiffs dropped a proposed class action accusing the bank of playing a role in what the US Securities and Exchange Commission has alleged was a US\$102 million Ponzi scheme.
- Lead trial counsel in two-week hearing, resulting in full defense judgment for a major financial institution arising from dispute with private equity partner regarding sale of private equity investments.
- Lead counsel in multiple actions alleging that various financial entities breached representations and warranties in the issuance and securitization of Residential Mortgage Backed Securities.
- Lead counsel for multiple domestic and international banks in litigation arising from investments in Bernard L. Madoff Investment Securities and the Madoff Ponzi scheme.
- Represented First Republic Bank in class action related to compliance with federally-mandated ATM regulations.
- Conducted confidential investigation for Top 5 financial services firm related to allegations of improper solicitation.
- Obtained dismissal of all claims against a leading bank in class action litigation related to Agape Ponzi scheme.

### Commercial Litigation

- Lead trial counsel in international arbitration related to dissolution of failed joint venture related to security technology.
- Represented GE Healthcare in litigation related to design and implementation of electronic medical records system.
- Defended CA Technologies Inc. in litigation related to breach of contract and theft of trade secrets related to enterprise security software.
- Defended major software manufacturer in arbitration related to improper payment and calculation of royalties.
- Represented pharmaceutical company related to royalty and license obligations arising from expired patent and related New Drug Application.

## Professional Activities

### Clerkships

- The Honorable Roanne Mann, US District Court for the Eastern District of New York

### Member

- Board of Directors, Legal Aid Society
- Federal Courts Committee, New York City Bar Association
- Policy Committee

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### Presentations

- “Emerging Issues in Clawback Claims – ‘The Perils of Picard’: New Dangers Faced by Defrauded Ponzi Scheme Investors,” Pamela Miller and Kent A. Yalowitz, Arnold & Porter LLP, New York, NY, (November 15, 2012)

### Advisories

- “Brown v. Tellermate Provides Reminder of Best Practices Concerning Document Discovery” (August 2014)
- “Busy Times and a Challenging Future for Bitcoin and Virtual Currencies” (February 2014)
- “Federal Court Issues Second Decision Jeopardizing Historical Treatment of Pass-Through Mortgage-Backed Securities” (January 2013)

### Co-Author

- “Changing Tides: Legalizing Surrogacy in New York,” Pamela Miller and Valerie Cohen, *New York Law Journal* (March 18, 2016)

### Honors & Awards

- *Legal 500 US*, Securities Litigation (2018-2019)
- *Legal 500 US*, Financial Services Litigation (2012-2014, 2016, 2019-2020)
- Legal Aid Society's Pro Bono Publico Award, “In recognition of outstanding pro bono service to the Legal Aid Society”