

AO 10
Rev. 1/2010

**FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2009**

*Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)*

1. Person Reporting (last name, first, middle initial) Smith, D. Brooks	2. Court or Organization Third Circuit Court of Appeals	3. Date of Report 05/15/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Judge-Active	5a. Report Type (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2009 to 12/31/2009
7. Chambers or Office Address US Court of Appeals, Ste 203 1798 Old Route 220N Duncansville, PA 16635	8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____	
IMPORTANT NOTES: The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information. Sign on last page.		

I. POSITIONS. (Reporting individual only; see pp. 9-13 of filing instructions.)

☐ NONE (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Trustee	Mount Aloysius College, Cresson, PA
2. Board of Counselors	Penn State University - Dickinson School of Law
3.	
4.	
5.	

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of filing instructions.)

☒ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1.	
2.	
3.	

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III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)***A. Filer's Non-Investment Income**☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2009	The Pennsylvania State University-Dickenson Law School-Adjunct Professor Spring Semester- See Part VIII	\$23,580.00
2.		
3.		
4.		

B. Spouse's Non-Investment Income - *If you were married during any portion of the reporting year, complete this section.**(Dollar amount not required except for honoraria.)*☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2009	Reliance Bank - Vice President, Commercial Lending - Salary ☐
2.	
3.	
4.	

IV. REIMBURSEMENTS *-- transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)*☐ NONE *(No reportable reimbursements.)*

	<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1.	Lewis & Clark College	02/02/2009-02/08/2009	Boston, MA	Moot Court Competition	Travel, food and lodging
2.	New York University School of Law	02/20/2009-02/22/2009	New York, NY	Moot Court Competition	Travel, food and lodging
3.	Case Western Reserve University	03/27/2009-03/29/2009	Cleveland, OH	Moot Court Competition	Travel, food and lodging
4.	Penn State University Dickinson School of Law	05/18/2009-05/20/2009	Washington, DC	Attend ALI-ABA Conference	Food and Lodging
5.	New York Law School	09/12/2009-09/13/2009	New York, NY	Moot Court Competition	Travel, food and lodging
6.	OPDAT	09/23/2009-10/03/2009	Sarajevo, Bosnia	Foreign Rule of Law	Travel, food and lodging

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		Herzegovina	Program	
7.	Hofstra Law School	10/17/2009-10/19/2009	Hempstead, NY	Moot Court Competition
				Travel, food and lodging
8.				
9.				
10.				
11.				
12.				
13.				

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V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*



NONE *(No reportable gifts.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*



NONE *(No reportable liabilities.)*

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

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VII. INVESTMENTS and TRUSTS – income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

☐ NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Reliance Bank Certificate of Deposit	A	Interest	K	T					
2. FNB Corp (common)	A	Dividend	J	T					
3. Fifth Third Bancorp	A	Dividend	J	T					
4. AST USB Dynamic Alpha	A	Dividend	M	T					
5. AST Academic Strategies Asset Allocation	A	Dividend	M	T					
6. M&T Bank (common)	C	Dividend	L	T					
7. Principal Global Investors (1) Principal Money Market	A	Int./Div.	J	T					
8. Principal Global Investors (1) Bond & Mortgage	A	Int./Div.	J	T					
9. Principal Real Estate Inv (1) Principal US Property	A	Int./Div.	J	T					
10. Principal Global Investors (1) Prin LargeCap S&P 500 Inde	A	Int./Div.	K	T					
11. Principal Global Investors (1) Principal SmallCap Growth	A	Int./Div.	J	T					
12. Principal Global/Barrow Hanley (1) MidCap Value III	A	Int./Div.	J	T					
13. Principal Global Investors/DFA (1) International SmallCap	A	Int./Div.	K	T					
14. Northwestern Mutual Life Ins(Universal Life Policies)	A	Dividend	M	T					
15. Reliance Bank IRA	B	Interest	K	T					
16. Reliance Bank IRA 2	B	Interest	L	T					
17. Reliance Bank-Checking Account	A	Interest	J	T					

1. Income Gain Codes: (See Columns D1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000	C = \$2,501 - \$5,000 H = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 I = More than \$5,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000 P1 = \$250,000,001 - \$50,000,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

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VII. INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

☐ NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount: Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. Reliance Bank-Checking Account	A	Interest	J	T					
19.									
20.									
21.									
22.									
23.									

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000	U = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 U = \$500,001 - \$1,000,000 R = Cost (Real Estate Only) V = Other	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000 S = Assessment W = Estimated	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000 T = Cash Market	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)					
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value				

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of Report.)*

Part IIIA: Represents services from 01/09/2009 through 05/15/2009

Part VII:

1) Held in ☐ Reliance Bank 401(k)

Prior year reports included total balance of Reliance Bank 401(k), individual listing of assets inadvertently ~~admitted~~ ^{omitted} from prior year reports

2) Self directed IRA

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IX. CERTIFICATION.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature _____

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544