

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2012

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) Berman, Richard M.	2. Court or Organization U.S. District court - S.D.N.Y.	3. Date of Report 08/26/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☒ Amended Report	6. Reporting Period 01/01/2012 to 12/31/2012
7. Chambers or Office Address U.S. District Court 40 Centre Street New York, NY 10007		
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.		

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

☒ **NONE** (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1.		
2.		
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.)*DATESOURCE AND TYPEINCOME

(yours, not spouse's)

1. _____

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.)*DATESOURCE AND TYPE

1. _____

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.)*SOURCEDATESLOCATIONPURPOSEITEMS PAID OR PROVIDED

1. _____

2. _____

3. _____

4. _____

5. _____

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V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*NONE *(No reportable gifts.)*SOURCEDESCRIPTIONVALUE

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.)*CREDITORDESCRIPTIONVALUE CODE

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. Property #1, Suffolk County, NY		None	N	W					
2. Property #2, Suffolk County, NY	A	Rent	K	W					
3. Aztex Limited Partnership (real estate)	E	Distribution	J	W					
4. US Treasury Note Inflation Indexed	A	Interest	M	T	Buy	07/30/12	M		
5. NYS Dorm Auth Lease	A	Interest			Redeemed	07/02/12	L	A	
6. Puerto Rico Comwlth Pub Impt Ser A	B	Interest			Sold	07/01/12	K	A	
7. US Treasury Inflation Index NTS CPI Non Seasonally	A	Interest			Sold	07/03/12	M	D	
8. NYS Dorm Auth Revs St	A	Interest			Redeemed	05/15/12	K	A	
9. Apple Inc	A	Dividend	L	T	Buy (add'l)	05/10/12	J		
10. Apple Inc	A	Dividend			Buy (add'l)	04/17/12	K		
11. Apple Inc	A	Dividend			Buy (add'l)	03/22/12	K		
12. Apple Inc	A	Dividend			Sold (part)	12/18/12	K		
13. Guggenheim S&P 500 Equal		None			Sold	05/09/12	J		
14. Guggenheim S&P 500 Equal		None			Sold	05/09/12	J		
15. Liberty Media Corp Liberty Cap Cl A	A	Dividend	K	T	Buy	04/11/12	K		
16. Sachem Cent School Dist NY Holbrook Ser B MBIA	A	Interest	K	T	Buy	04/09/12	K		
17. Phelps Clifton Springs NY	A	Interest	K	T	Buy	04/10/12	K		

1. Income Gain Codes:	A = \$1,000 or less (See Columns B1 and D4)	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 H2 = More than \$5,000,000	E = \$15,001 - \$50,000
2. Value Codes	J = \$15,000 or less (See Columns C1 and D3)	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes	P3 = \$25,000,001 - \$50,000,000 (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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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				
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18. NYS Dorm Auth Revs Sloan Kettering Center	A	Interest	K	T	Buy	03/30/12	K		
19. Puerto Rico Sales Tax Fing Corp Sales Tax Rev First	A	Interest	L	T	Buy	03/30/12	L		
20. LM CBA Equity Income Builder Fund CL A	A	Dividend	K	T	Buy	03/27/12	K		
21. CD Goldman Sachs BK USA	A	Interest			Sold	03/08/12	L		
22. Google Inc		None			Sold	11/14/12	K		
23. Morgan Stanley		None	J	T	Buy	01/30/12	J		
24. US Treasury Inflation Index NTS CPI Non Seasonally	A	Interest	M	T	Buy	01/20/12	M		
25. Ishares FTSE HK China 25 Index Fund		None			Sold	01/18/12	J		
26. Metropolitan Trans Auth NY	B	Interest			Sold	01/18/12	M	C	
27. NC Eastern MPA Pwr	C	Interest			Sold	01/18/12	M	E	
28. SPDR S&P 500 ETF Trust		None	K	T	Buy	06/21/12	K		
29. Berkshire Hathaway Inc Notes		None			Sold	05/15/12	J		
30. Puerto Rico Pub Fin Corp	A	Interest			Redeemed	02/01/12	K		
31. Liberty Media Corp Liberty Cap com Ser A		None	K	T	Buy	8/17/12	J		
32. Liberty Media Corp Liberty Cap Com Ser A		None			Buy (add'l)	12/18/12	K		
33. SPDR SP Metals Mining		None			Sold	11/14/12	J		
34. NY NYC General Obligation Ser E	A	Interest	M	T	Buy	8/27/12	M		

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2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$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 \$50,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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35. SPDR Gold Trust		None	J	T	Buy	8/24/12	J		
36. China Unicom Hong Kong	A	Dividend			Sold	8/27/12	J		
37. Metropolitan Transportation Auth NY Trans Rev Ref D	B	Interest	M	T	Buy	8/13/12	M		
38. Ishares MSCI Brazil Free Index Fund		None			Sold	8/17/12	J		
39. NY NYC General Obligation Ser E	A	Interest			Sold	12/17/12	L	A	
40. Tobacco Auth 1	B	Interest			Sold	7/16/12	L	A	
41. Vanguard 500 Index Trust	B	Dividend	M	T					
42. Vanguard Total Intl Index	A	Dividend	L	T					
43. Vanguard Total Stock Index	B	Dividend	L	T					
44. Icon Energy Fund	A	Dividend	J	T					
45. Amer Funds Fundamental F	A	Dividend	K	T					
46. Spartan 500 Index Fid Adv	B	Dividend	L	T					
47. New Perspective Fund	A	Dividend	K	T					
48. Puerto Rico Pub Bldgs Auth Rev	C	Interest	L	T					
49. Fidelity GNMA Fund	B	Dividend	L	T					
50. Fairholme Fund (X)	B	Dividend	K	T					
51. Ishares Russell 2000 Index Fund	A	Dividend	K	T					

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52. UTS SPDR Trust Ser I	A	Dividend	K	T					
53. JP Morgan Emerging Markets Equity Fund CI A		None	L	T					
54. NYS Dorm Auth Rev North Shore LI Jewish	D	Interest	M	T					
55. Puerto Rico Pub Bldgs Auth Rev	D	Interest	M	T					
56. Omaha Neb Omaha Convention Center	B	Interest	K	T					
57. New York NY Rfdg Ser F	A	Interest	J	T					
58. New York NY Ser F	A	Interest	K	T					
59. New York NY Ser J U/T B/E	D	Interest	M	T					
60. New York NY Ser J B/E U/T	A	Interest	J	T					
61. Puerto Rico Elec Pwr Auth Prf	D	Interest	M	T					
62. Puerto Rico Elec Pwr Auth	D	Interest	M	T					
63. Puerto Rico Commonwealth Hwy & Trans Auth Trans Rev	B	Interest	L	T					
64. Westchester NY TOB Asset Secrtztn CRP	D	Interest	M	T					
65. TSASC Inc NY TOB Settlement Asset	C	Interest	L	T					
66. NYS D/A Auth Revs Sadly Pref Mental Hlth Fac	D	Interest	M	T					
67. Metro Trans Au NY Dedicated Tax FD FSA	D	Interest	M	T					
68. New York St Twy Au Second Genl Hwy & Brdg	B	Interest	L	T					

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69. New York St Urban Dev Corp Rev Personal Income Tax	B	Interest	M	T					
70. New York St Dorm Auth Ct FACS Lse Rev (NYC Issue)	A	Interest	J	T					
71. Metropolitan Trans Auth NY Dedicated Tax FD A Revs FGIC	C	Interest	M	T					
72. TIAA Cref	A	Dividend	L	T					
73. T-C Infl Lnkd Bond Rtmt	A	Distribution	K	T					
74. T-C Lifecycle 2020 Rtmt		None	K	T					
75. T-C Lifecycle Rtmt Inc Rtmt	A	Distribution	K	T					
76. Property Indian River Cnty, FL (X)	D	Rent	L	W					
77. Lucia Mar Uni Sch Dist Calif Election 2004 Ser A FGIC	B	Interest	K	T					
78. Oregon St Dept Transhn Hwy User Tax Rev Ser A	B	Interest	K	T					
79. Georgia St B B/E UT DD	C	Interest	L	T					
80. Oregon St Dept Transhn Hwy User Tax Rev Ser A	B	Interest	K	T					
81. Scottsdale Ariz Mun PPTY Corp Excise Tax Rev Pref B/E	B	Interest	L	T					
82. Utah Tra Auth Sales Tax Rev Ser B FSA	C	Interest	L	T					
83. China Mobile LTD Spn ADR	A	Dividend	J	T					
84. SPDR Gold Trust		None	K	T					
85. Ishares TR Dow Jones US	A	Dividend	J	T					

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86. Union Pacific corp	A	Dividend	J	T					
87. Rydex ETF TR Index Fund	A	Dividend	J	T					
88. Vanguard Small Cap	A	Dividend	J	T					
89. Deere Co	A	Dividend	J	T					
90. New Jersey St Genl Obligation	A	Interest	K	T					
91.									
92.									
93.									
94.									
95.									

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

The items inadvertently listed in Part VII lines 18, 51, 52 and 57 of the 2011 report do not appear on the 2012 report. They were previously redeemed or sold.

Guggenheim S&P 500 equal was purchased March 2011 and Tobacco Auth 1 was purchased December 2009. These assets were inadvertently not listed on the prior report, but were sold as reflected in the 2012 report in Part VII, page 4, lines 13 and 14 and page 6, line 40.

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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: s/ **Richard M. Berman**

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

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