

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2016

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) Sack, Robert D.	2. Court or Organization US Court of Appeals, 2d Cir.	3. Date of Report 5/9/2017
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) US Circuit Judge (Senior)	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2016 to 12/31/2016
7. Chambers or Office Address 40 Foley Square 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.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Lecturer in Law and Adjunct Professor	Columbia Law School
2. Member, Columbia Board of Visitors	Columbia Law School
3.	
4.	
5.	

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

☐ NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1. 9/3/98	Practising Law Institute and Robert D. Sack, publication of 3rd edition of treatise on defamation law; royalty 15% of net receipts
2. 1998	Gibson, Dunn & Crutcher LLP Retirement Agreement, Gibson Dunn & Crutcher LLP and Robert D. Sack; Terms: \$6,000 per month/life, no increase, decrease or cap
3. 2010	Practising Law Institute and Robert D. Sack, publication of 4th edition of treatise on defamation law; royalty 15% of net receipts

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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. 2016	Practising Law Institute Book Royalties	\$19,462.38
2. 2016	Gibson, Dunn & Crutcher LLP Retirement Plan	\$72,000.00
3. 2016	Lecturer in Law, Columbia Law School	\$25,000.00
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. 2016	Thomson Reuters Royalties
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.				
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.)*

	<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.	Citibank Mastercard	Credit Card	J
2.	American Express	Credit Card	J
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. JPMORGAN CHASE ACCOUNTS	A	Interest	L	T					
2. OPP ADVANTAGE BANK DEPOSIT	A	Interest	M	T					
3. OPP AMERICAN INTL GROUP INC COM NEW	A	Dividend	J	T					
4. OPP APPLE INC	A	Dividend	K	T					
5. OPP BP PLC SPONSORED ADR	A	Dividend	J	T					
6. OPP BANK AMER CORP	A	Dividend	J	T	Buy	09/08/16	J		
7. OPP BOEING CO	B	Dividend	K	T					
8. OPP IVY SCIENCE & TECH FD Y	A	Dividend			Sold	09/12/16	J	A	
9. OPP DEUTSCHE STRATEGIC HIGH YIELD TAX-FREE FUND-INST	A	Int./Div.	K	T					
10. OPP IVY MUNICIPAL HIGH INCOME FUND CLASS I	A	Int./Div.	J	T	Sold (part)	09/12/16	J		
11. OPP NUVEEN HIGH YIELD MUNICIPAL BD FD R	B	Int./Div.	K	T					
12. OPP ETF MANAGERS TR PUREFUNDS ISE CY (X)	A	Dividend	J	T					
13. OPP ISHARES TR U.S. AER&DEF ETF	A	Dividend	J	T					
14. OPP SPDR SERIES TRUST AEROSPACE DEF	A	Dividend	J	T					
15. OPP SPDR SERIES TRUST S&P REGL BKG	A	Dividend	K	T					
16. OPP SELECT SECTOR SPDR TR SBI HEALTHCARE	A	Dividend			Sold	09/12/16	K		
17. OPP SELECT SECTOR SPDR TR SBI INT-FINL	A	Dividend	K	T					

1. Income Gain Codes: (See Columns B1 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 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 (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	
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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18. OPP SELECT SECTOR SPDR TR RL EST SEL SEC	A	Dividend	J	T	Spinoff (from line 17)	09/22/16	J		
19. OPP WISDOMTREE TR JAPAN TOTAL DIVID FD	A	Dividend			Sold	09/12/16	J		
20. OPP WISDOMTREE TR EUROPE HEDGED EQUITY FD	A	Dividend			Sold	09/12/16	J		
21. OPP COHEN & STEERS MLP INC & ENRGY COM SHS	A	Distribution	J	T	Buy (add'l)	03/10/16	J		
22.					Sold (part)	09/08/16	J		
23. OPP EATON VANCE ENHANCED EQ INC FD	B	Dividend			Sold	09/12/16	K		
24. OPP NUVEEN NASDAQ 100 DYNAMIC OVER COM SHS	B	Dividend	K	T					
25. OPP NUVEEN DOW 30 DYN OVERWRITE	B	Dividend	J	T					
26. OPP TEKLA LIFE SCIENCES INVS SH BEN INT	B	Dividend	J	T					
27. OPP TORTOISE ENERGY INDEPENDENC FD	C	Distribution	K	T	Buy (add'l)	09/08/16	J		
28. OPP MAINSTAY DEFINED TERM MN OPP FD TAX FREE COM	C	Int./Div.			Sold	03/10/16	L		
29. OPP NUVEEN NY DIVID ADVNTG MUN FD	A	Int./Div.			Sold	09/08/16	K		
30. OPP NUVEEN NEW YORK AMT QLT MUNICIP TAX FREE COM	A	Int./Div.	J	T	Buy	03/10/16	K		
31.					Sold (part)	09/12/16	J	A	
32. OPP NUVEEN INTER DURATION MN TMFD TAX FREE COM	B	Int./Div.	K	T	Sold (part)	09/12/16	J		
33. OPP NUVEEN MUNICIPAL CREDIT INC FD TAX FREE COM SH BEN INT	B	Int./Div.	K	T	Buy	03/10/16	K		

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34. OPP NEW YORK ST PWR AUTH REV NY MBIA 4% DUE 11/15/20 B/E REV OID	B	Interest	K	T					
35. OPP NEW YORK N Y NY 4% DUE 02/01/22 B/E UGO OID	B	Interest	L	T					
36. OPP NEW YORK N Y CITY MUN WTR FIN NY 3.625% DUE 06/15/25 B/E REV OID	A	Interest	K	T					
37. Northwestern Mutual Life Insurance Policy		None	M	T					
38. Guardian Life Insurance Policy	C	Dividend	L	T					
39. Massachusetts Mutual Life Insurance Policy	A	Interest	J	T					
40. AMERIPRISE INSURED MONEY MARKET ACCTS	A	Int./Div.	M	T					
41. ADV-BLACKROCK EQUITY DIVIDEND CL A	A	Dividend			Sold	06/21/16	K		
42. ADV-EATON VANCE AMT FREE MUNICIPAL	C	Dividend	L	T					
43. ADV-FIDELITY ADVISOR FLOATING RATE HIGH INC CL A	B	Dividend	L	T					
44. ADV-HARTFORD CORE EQUITY CL A	A	Dividend	L	T					
45. ADV-CATALYST HEDGED FUTURES STRATEGY CL A	C	Dividend	K	T					
46. ADV-OPPENHEIMER AMT FREE NY MUNICIPAL CL A	C	Dividend			Sold	07/18/16	M	A	
47. ADV-PIONEER AMT FREE MUNICIPAL CL A	B	Dividend	L	T					
48. ADV-TAX EXEMPT BOND AMERICA CL A	C	Dividend	L	T					
49. ADV-VIRTUS TAX EXEMPT BOND CL A	B	Dividend	L	T					

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50. ADV-POWERSHARES S&P 500 LOW VOLATILITY ETF	B	Dividend	L	T					
51. ONE-INVESCO DIVERSIFIED DIVIDEND CL A	A	Dividend	L	T	Buy	06/07/16	K		
52. ONE-INVESCO MUNICIPAL INCOME CL A	B	Dividend	K	T					
53. ONE-BLACKROCK EQUITY DIVIDEND CL A	B	Dividend	L	T	Sold (part)	06/21/16	K	C	
54. ONE-FIDELITY ADVISOR BIOTECHNOLOGY CL A	A	Dividend			Sold	06/07/16	L		
55. ONE-FIDELITY ADVISOR HEALTH CARE CLA	A	Dividend	K	T	Sold (part)	06/21/16	K		
56. ONE-FIDELITY ADVISOR NEW INSIGHTS CL A	A	Dividend	L	T					
57. ONE-GABELLI EQUITY INCOME CL A	C	Dividend	L	T					
58. ONE-HARTFORD BALANCED INCOME CL A	B	Dividend	K	T	Buy (add'l)	06/07/16	J		
59. ONE-MFS MUNICIPAL LIMITED MATURITY CL A	B	Dividend	L	T					
60. ONE-EVENTIDE GILEAD CL A	A	Dividend	K	T	Sold (part)	06/21/16	K		
61. ONE-OPPENHEIMER ROCHESTER LTD TERM MUN CL A	B	Dividend			Sold	07/18/16	L	B	
62. ONE-ROCHESTER LTD TERM NY MUNI CL A	B	Dividend			Sold	07/18/16	L	B	
63. ONE-TAX EXEMPT BOND AMERICA CL A	C	Dividend	L	T					
64. CASH RESERVE CERTIFICATE 848001	A	Interest	L	T	Redeemed (part)	01/08/16	J		
65.					Redeemed (part)	09/12/16	J		
66. CASH RESERVE CERTIFICATE 905001	A	Interest	J	T	Redeemed (part)	01/08/16	J		

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67.					Redeemed (part)	09/12/16	J		
68. RiverSource Retirement Advisor 4 Advantage VA-Annuity	E	Distribution	O	T					
69. Ameriprise IRA (AH)	D	Int./Div.	O	T					
70. -Columbus Circle LCG, IRA	B	Int./Div.	M	T					
71. -Lazard IA, IRA	C	Int./Div.	M	T					
72. -Alta LCC, IRA	C	Int./Div.	N	T					
73. -VICTORY MUNDER MCC, IRA	B	Int./Div.	M	T					
74. -ACC Flexible Savings Certificate, IRA	A	Interest	M	T					

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

A pending claim against Worldcom is currently in litigation (02 Civ. 3288 (DLC)). The worth of that claim cannot be determined at this time.

A pending claim against American International Group, Inc. is currently in litigation (04 Civ. 8141 (DAB) (AJP)). The worth of that claim cannot be determined at this time.

The fund called OPP FACTORSHARES TR ISE CYBER SEC on the 2015 Report (Line 21 on the 2015 report) is now called OPP ETF MANAGERS TR PUREFUNDS ISE CY on this 2016 Report (Line 12).

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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/ Robert D. Sack

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