

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

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

|                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                          |                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>1. Person Reporting</b> (last name, first, middle initial)<br><br>Smith, D. Brooks                                                                                                                                            | <b>2. Court or Organization</b><br><br>Third Circuit Court of Appeals                                                                                                                                                                                                                    | <b>3. Date of Report</b><br><br>05/15/2012                       |
| <b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br><br>Judge-Active                                                                                         | <b>5a. Report Type</b> (check appropriate type)<br><input type="checkbox"/> Nomination <input type="checkbox"/> Date<br><input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final<br><b>5b.</b> <input type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2011<br>to<br>12/31/2011 |
| <b>7. Chambers or Office Address</b><br><br>US Court of Appeals, Ste 203<br>1798 Old Route 220N<br>Duncansville, PA 16635                                                                                                        |                                                                                                                                                                                                                                                                                          |                                                                  |
| <p><b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the <b>NONE</b> box for each part where you have no reportable information. Insert signature on last page.</p> |                                                                                                                                                                                                                                                                                          |                                                                  |

## 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. | 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.)

|    | <u>DATE</u> | <u>PARTIES AND TERMS</u> |
|----|-------------|--------------------------|
| 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><br>(yours, not spouse's) |
|-------------|------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 1. 2011     | The Pennsylvania State University-Dickinson School of Law-Adjunct Professor Spring Semester- See Part VIII | \$23,568.00                            |
| 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. 2011     | Reliance Bank - Vice President, Business Banker II - 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. | Penn State University Dickinson School of Law | 03/28/2011-03/29/2011 | Washington, DC    | Educational activity                      | Travel, food and lodging      |
| 2. | University of Pittsburgh School of Law        | 03-30-2011-03/31/2011 | Pittsburgh, PA    | Speaker in LLM Program                    | Lodging                       |
| 3. | Pennsylvania Bar Institute                    | 04/27/2011            | Philadelphia, PA  | Speaker for CLE program                   | Travel                        |
| 4. | Penn State University Dickinson School of Law | 05/15/2011-05/21-2011 | San Francisco, CA | American Law Institute                    | Travel, food and lodging      |
| 5. | Penn State University Dickinson School of Law | 05/27/2011-06/04/2011 | Istanbul, Turkey  | Speaker for program offered by Law School | Travel, food and lodging      |

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|     |                                                        |                       |                   |                                      |                          |
|-----|--------------------------------------------------------|-----------------------|-------------------|--------------------------------------|--------------------------|
| 6.  | Allegheny County Bar Association                       | 06/16/2011-06/17/2011 | Seven Springs, PA | Activity of Professional Association | Food and lodging         |
| 7.  | Foundation for Research on Economics & the Environment | 08/26/2011-09/01/2011 | Bozeman, MT       | Education seminar                    | Travel, food and lodging |
| 8.  | New York Law School                                    | 09/17/2011-09/19/2011 | New York, NY      | Moot Court Competition               | Travel, food and lodging |
| 9.  | Academy of Trial Lawyers                               | 10/6/2011-10/7/2011   | Farmington, PA    | Activity of Professional Association | Food and lodging         |
| 10. | Federalist Society                                     | 10/19/2011-10/20/2011 | Harrisburg, PA    | Speaker for CLE program              | Travel, food and lodging |
| 11. | Cornell Law School                                     | 10/28/2011-10/30/2011 | Ithaca, NY        | Moot Court Competition               | Travel, food and lodging |
| 12. |                                                        |                       |                   |                                      |                          |

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

|                                                               |   |           |   |   |        |          |   |  |  |
|---------------------------------------------------------------|---|-----------|---|---|--------|----------|---|--|--|
| 1. Reliance Bank Certificate of Deposit                       | A | Interest  |   |   | Closed | 09/08/11 | J |  |  |
| 2. FNB Corp (common)                                          | A | Dividend  | J | T |        |          |   |  |  |
| 3. Fifth Third Bancorp                                        | A | Dividend  | J | T |        |          |   |  |  |
| 4. AST JP Morgan Strategic Opportunities Port 1,4             | A | Int./Div. | L | T |        |          |   |  |  |
| 5. AST Academic Strategies Asset Allocation(S)                | A | Dividend  | L | T |        |          |   |  |  |
| 6. M&T Bank (common)                                          | C | Dividend  | M | T |        |          |   |  |  |
| 7. Principal Global Investors (1) Principal Money Market      | A | Int./Div. | K | T |        |          |   |  |  |
| 8. Principal Global Investors (1) Bond & Mortgage             | A | Int./Div. | K | 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/Barrow Hanley (1) MidCap Value III       | A | Int./Div. | J | T |        |          |   |  |  |
| 12. Principal Global Investors/DFA (1) International SmallCap | A | Int./Div. | K | T |        |          |   |  |  |
| 13. Northwestern Mutual Life Ins(Universal Life Policies)     | D | Dividend  | M | T |        |          |   |  |  |
| 14. Reliance Bank IRA                                         | A | Interest  | K | T |        |          |   |  |  |
| 15. Reliance Bank IRA 2                                       | A | Interest  | L | T |        |          |   |  |  |
| 16. Reliance Bank-Checking Account                            | A | Interest  | L | T |        |          |   |  |  |
| 17. Reliance Bank-Checking Account                            | A | Interest  | J | T |        |          |   |  |  |

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

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Name of Person Reporting

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

|                                                       |   |           |   |   |        |          |   |  |  |
|-------------------------------------------------------|---|-----------|---|---|--------|----------|---|--|--|
| 18. Reliance Bank-Checking Account                    | A | Interest  |   |   | Closed | 09/08/11 | J |  |  |
| 19. Schroeders Multi Asset World Strategies (1)       | A | Int./Div. | K | T |        |          |   |  |  |
| 20. AST CLS Moderate Asset Allocation (1)             | A | Int./Div. | L | T |        |          |   |  |  |
| 21. AllianceBernstein/CCI/Brown SmallCap Growth I (1) | A | Int./Div. | J | T |        |          |   |  |  |
| 22.                                                   |   |           |   |   |        |          |   |  |  |
| 23.                                                   |   |           |   |   |        |          |   |  |  |
| 24.                                                   |   |           |   |   |        |          |   |  |  |
| 25.                                                   |   |           |   |   |        |          |   |  |  |
| 26.                                                   |   |           |   |   |        |          |   |  |  |
| 27.                                                   |   |           |   |   |        |          |   |  |  |
| 28.                                                   |   |           |   |   |        |          |   |  |  |
| 29.                                                   |   |           |   |   |        |          |   |  |  |
| 30.                                                   |   |           |   |   |        |          |   |  |  |
| 31.                                                   |   |           |   |   |        |          |   |  |  |
| 32.                                                   |   |           |   |   |        |          |   |  |  |
| 33.                                                   |   |           |   |   |        |          |   |  |  |
| 34.                                                   |   |           |   |   |        |          |   |  |  |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
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| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value                                                       | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>W = Estimated                                                           | T = Cash Market                                              |                         |

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| 35.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 36.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 37.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 38.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 39.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 40.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 41.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 42.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 43.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |

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

Part IIIA: Represents services for the year 2011

Part VII:

1) Held in  Reliance Bank 401(k)

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: **s/ D. Brooks Smith**

**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  
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Washington, D.C. 20544