

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2010

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>Bianchini, Victor E.                                                                                                                                 | <b>2. Court or Organization</b><br><br>Western/Northern Districts of New York                                                                                                                                                                                                                       | <b>3. Date of Report</b><br><br>09/25/2012                       |
| <b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br><br>U.S. Magistrate Judge, Full-Time                                                              | <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 checked="" type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2010<br>to<br>12/31/2010 |
| <b>7. Chambers or Office Address</b><br><br>501 U.S Courthouse<br>68 Court Street<br>Buffalo, New York 14202-3496                                                                                                         |                                                                                                                                                                                                                                                                                                     |                                                                  |
| <p><b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the NONE 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. Member, Board of Directors                    | Flying Leathernecks Aviation Museum Historical Society Foundation                |
| 2. Board of Directors & Immediate Past President | Marine Corps Recruit Depot Museum Historical Society                             |
| 3. Editorial Board                               | San Diego Lawyer Magazine                                                        |
| 4. Member, Board of Directors                    | San Diego County Public Law Library Foundation                                   |
| 5. Vice Chair, Member of Board of Directors      | Veteran's Village of San Diego (Formerly known as Vietnam Veterans of San Diego) |
| 6. Advisor                                       | Tender Loving Canine Wounded Warrior Helper Dogs                                 |

## 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. 2002     | Judicial Retirement Plan, State of California. The State of California pays this annuity over which I have no control.                                       |
| 2. 2002     | County of San Diego Deferred Compensation Plan. This is paid from sole contributions by me to this plan, from which I will be obligated to withdraw funds.   |
| 3. 2002     | State of California Judicial 401k plan. This is also in the nature of deferred compensation, and arose from my position as a Superior Court Judge.           |
| 4. 2003     | Defined Benefit Plan arising out of activities as a mediator/arbitrator from 2002-2006. This has been converted to a 401k investment plan with AXA Advisors. |

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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. 2010     | Judicial retirement annuity for service as a Superior Court Judge. | \$126,000.00                           |
| 2. 2010     | State of California, state university professor annuity.           | \$5,700.00                             |
| 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.          |                        |
| 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. | Chase National Bank            | Visa Credit Card                        | K                 |
| 2. | Wells Fargo Mortgage           | Mortgage on Rental Property             | M                 |
| 3. | Wells Fargo Mortgage           | Mortgage on Rental Property             | O                 |
| 4. | Wells Fargo Mortgage           | Mortgage on Rental Property             | N                 |
| 5. | Wells Fargo Mortgage           | Mortgage on Rental Property             | N                 |
| 6. | USAA Bank Credit Card Services | MasterCard                              | J                 |
| 7. | American Express               | Visa Credit Card/Costco Membership Card | J                 |

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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. Deferred Compensation--County of San Diego                                                                               |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 2. Deferred Compensation--U.S. Courts                                                                                       |                                         | None                                          | M                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 3. Combined Defined Benefit Plan and 401k--AXA Advisors                                                                     | C                                       | Dividend                                      | N                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 4. - John Hancock Technical Opportunities (JTCIX)                                                                           |                                         |                                               |                                                 |                                           | Buy (add'l)                                     | 12/10/10                | J                               |                                | Note 1                                                            |
| 5. - Harbor Capital Appreciation Fund (HACAX)                                                                               |                                         |                                               |                                                 |                                           | Buy (add'l)                                     | 12/10/10                | J                               |                                | Note 2                                                            |
| 6. - WT Investments CRM Mid Cap Value FUND (CRMMX)                                                                          |                                         |                                               |                                                 |                                           | Buy                                             | 12/10/10                | J                               |                                |                                                                   |
| 7. - Artisan Small Cap Value Fund (ARTVX)                                                                                   |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                | Note 3                                                            |
| 8. - Blackrock International Opportunities Fund (BISIX)                                                                     |                                         |                                               |                                                 |                                           | Buy                                             | 12/10/10                | J                               |                                |                                                                   |
| 9. - Columbia Acorn Fund (ACRNK)                                                                                            |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                | Note 4                                                            |
| 10. - Dodge & Cox Income Fund (DODIX)                                                                                       |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                | Note 5                                                            |
| 11. - Templeton Global Bond Fund (TPINX)                                                                                    |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                | Note 6                                                            |
| 12. - Franklin Strategic Services Income Fund (FKSAX)                                                                       |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                | Note 7                                                            |
| 13. - Lord Abbett Bond Debenture Fund (LBNDX)                                                                               |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                | Note 8                                                            |
| 14. - Davis New York Venture Fund (NYVBX)                                                                                   |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                | Note 9                                                            |
| 15. Certificate of Deposit--Bank of America                                                                                 | B                                       | Interest                                      | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 16. Rental Property #1: San Diego, California                                                                               | A                                       | Rent                                          | P1                                              | W                                         |                                                 |                         |                                 |                                |                                                                   |
| 17. Rental Property #1: San Diego, California                                                                               | E                                       | Rent                                          | N                                               | W                                         |                                                 |                         |                                 |                                |                                                                   |

|                                                  |                                                                              |                                                      |                                                            |                                                                                       |                        |
|--------------------------------------------------|------------------------------------------------------------------------------|------------------------------------------------------|------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------|
| 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>H ~\$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 ~\$250,001 - \$500,000 | K ~\$15,001 - \$50,000<br>O ~\$500,001 - \$1,000,000 | P1 ~\$1,000,001 - \$5,000,000<br>P4 ~More than \$5,000,000 | L ~\$50,001 - \$100,000<br>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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☐ 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. Checking #1: Bank of America                | C | Interest | J | T |  |  |  |  |  |
| 19. Checking #2: Bank of America                | C | Interest | J | T |  |  |  |  |  |
| 20. Certificate of Deposit: Wells Fargo         | E | Interest | M | T |  |  |  |  |  |
| 21. Checking: Wells Fargo:Wells Fargo           | B | Interest | J | T |  |  |  |  |  |
| 22. Savings: Wells Fargo                        | F | Interest | L | T |  |  |  |  |  |
| 23. IRA: John Hancock "No Control."             |   |          |   |   |  |  |  |  |  |
| 24. 401k: Advanta Financial Corp. "No Control." |   | None     | L | T |  |  |  |  |  |
| 25. Accumulator, AXA Advisors                   |   | None     | N | T |  |  |  |  |  |
| 26.                                             |   |          |   |   |  |  |  |  |  |
| 27.                                             |   |          |   |   |  |  |  |  |  |

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

1. My spouse has no control over the selection of stocks. All of my investments are Mutual Funds and therefore I have no control over stocks.
2. Accumulator is an annuity program where my interest is only income. The corpus will go to [REDACTED] upon my death.

Note 1- John Hancock Technical Opportunities Fund was originally purchased on 9/2/2009 with value code K.

Note 2- Harbor Capital Appreciation Fund was originally purchased on 10/22/08 with value code K.

Note 3- Artisan Small Cap Value Fund was originally purchased on 9/2/2009 with value code J.

Note 4- Columbia Acorn Fund was originally purchased on 9/2/2009 with value code J.

Note 5- Dodge & Cox Income Fund was originally purchased on 4/18/2008 with value code K.

Note 6- Templeton Global Bond Fund was originally purchased on 4/18/2008 with value code K.

Note 7- Franklin Strategic Services Income Fund was originally purchased on 4/18/2008 with value code K.

Note 8- Lord Abbet Bond Debenture Fund was originally purchased on 4/18/2008 with value code K.

Note 9- Davis New York Venture Fund was originally purchased on 10/13/2008 with value code K.

The assets listed on lines 4-6, 10, and 11 of my 2009 report were mistakenly included as I did not own those assets during 2009.

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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/ **Victor E. Bianchini**

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