

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) Hornak, Mark R.	2. Court or Organization U.S. Dist. Ct., W.D. Pa.	3. Date of Report 05/10/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) District Judge, Active	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. Courthouse 700 Grant Street Pittsburgh, PA 15219		
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.	Board Member	The Pittsburgh Foundation
2.	Executor	Estate #1
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.	2011	Agreement regarding retirement and withdrawal from the practice of law at the Buchanan Ingersoll & Rooney PC law firm
2.	1989	Buchanan Ingersoll & Rooney PC Retirement (Pension and Profit Sharing) Plans
3.	2006	Buchanan Ingersoll & Rooney PC Cash Balance Retirement Plan

FINANCIAL DISCLOSURE REPORT

Page 2 of 8

Name of Person Reporting

Hornak, Mark R.

Date of Report

05/10/2013

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.)*

DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1. 2012	Buchanan Ingersoll & Rooney PC, payments related to my retirement and withdrawal from the law firm in 2011.	\$162,799.00
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.)*

DATE	SOURCE 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.)*

SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1. New York (NY) Intellectual Property Law Association	March 23 & 24, 2012	New York, NY	Attend Annual Dinner	Transportation, meals, and lodging
2. Allegheny County (PA) Bar Association	June 15 & 16, 2012	Champion, PA	Attend Annual Bench-Bar Conference	Meals and lodging
3. Academy of Trial Lawyers of Allegheny County (PA)	October 4 & 5, 2012	Farmington, PA	Attend Annual Academy Retreat and CLE Program	Meals and lodging
4. American Bar Association (ABA)	October 31 & November 1, 2012	Atlanta, GA	Attend and participate in CLE program of Labor and Employment Law Section of the ABA	Transportation, meals and lodging

FINANCIAL DISCLOSURE REPORT

Page 3 of 8

Name of Person Reporting

Hornak, Mark R.

Date of Report

05/10/2013

5.

FINANCIAL DISCLOSURE REPORT

Page 4 of 8

Name of Person Reporting

Hornak, Mark R.

Date of Report

05/10/2013

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.	Allegheny County (PA) Bar Association	Printing and postage related to investiture ceremony held January 20, 2012	\$822.93
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.	Bank of America	Revolving credit account	J
2.			
3.			
4.			
5.			

FINANCIAL DISCLOSURE REPORT

Page 5 of 8

Name of Person Reporting

Hornak, Mark R.

Date of Report

05/10/2013

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. PNC Bank Checking Account #1	A	Interest	J	T					
2. PNC Bank Checking Account #2		None	J	T					
3. PNC Bank Checking Account #3	A	Interest	J	T					
4. PNC Bank Checking Account #4	A	Interest	J	T					
5. PNC Bank Checking Account #5 (Y)	A	Interest	J	T					
6. PNC Bank Checking Account #6 (Y)	A	Interest	J	T					
7. PNC Bank Statement Savings Account #1	A	Interest	J	T					
8. American Century Select Investors Fund	A	Int./Div.	J	T					
9. Pittsburgh Firefighters Federal Credit Union Cash Account	A	Interest	J	T					
10. Columbia Strategic Investors Fund Class Z (Y)	A	Dividend	J	T					
11. HJ Heinz Common Stock	A	Dividend	J	T					
12. General Electric Common Stock	A	Dividend	J	T					
13. US Series EE Savings Bonds	B	Interest	K	T					
14. US Series I Savings Bonds	B	Interest	M	T					
15. Buchanan Ingersoll & Rooney PC Pension Plan	D	Distribution	O	T					
16. Buchanan Ingersoll & Rooney PC Profit Sharing Plan	D	Distribution	O	T					
17. Buchanan Ingersoll & Rooney PC Cash Balance Pension Plan	C	Interest	M	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	

FINANCIAL DISCLOSURE REPORT

Page 6 of 8

Name of Person Reporting

Hornak, Mark R.

Date of Report

05/10/2013

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. Estate #1		None							
19. American Century Prime Money Market Fund	A	Int./Div.	J	T					
20. PNC Bank Money Market Account #1 (X)	B	Interest	M	T					
21. Pacific Life Univ. Life Insurance Policy-no cash value(X)	B	Int./Div.							

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	

FINANCIAL DISCLOSURE REPORT

Page 7 of 8

Name of Person Reporting

Hornak, Mark R.

Date of Report

05/10/2013

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

Part II, Lines 2 & 3- -These are the dates of my first participation in such plans while engaged in the practice of law.

Part III (A), Line 1--All such amounts relate solely to services performed prior to entering judicial service.

Part VII, Line 2- -This is a non-interest bearing account.

Part VII, Lines 5 & 6- -These accounts [REDACTED] will not be referenced in future reports.

Part VII, Line 10- -This account is a Uniform Gift to Minors Account as to whom the child/beneficiary is over the age of 21, and is now the sole owner of its assets. [REDACTED], [REDACTED], and therefore this account will not be referenced in future reports.

Part VII, Lines 15, 16 and 17- -These retirement funds are administered and managed by third-parties. I retain no control over the investments in them. All assets in, and contributions to, them relate solely to services performed prior to entering judicial service.

Part VII, Line 18- -Estate #1 [REDACTED] has no assets, other than its status as the plaintiff/claimant in civil/claims proceedings related to the decedent's death. No amounts were received by the Estate in 2012.

Part VII, Line 20- -This money market account was opened in 2011.

Part VII, Line 21- -This insurance policy was provided as part of a group insurance program while I was in the private practice of law. Upon my retirement and withdrawal from the law firm in November 2011, I became responsible for this policy, and began paying the premiums directly as of May 1, 2012, the date the first post-employment premium payment was due. It had no cash surrender value at any point. It had imputed interest crediting in 2012 in the amount category set forth at line 21, column B(1), but this did not reduce the premium amount or create any cash surrender value. There was no funding for investment purposes by the payment of additional premium and this policy did not involve any underlying asset or investment account. All premium amounts paid were for insurance only.

Part VII--All Buchanan Ingersoll & Rooney PC/Buchanan Ingersoll & Rooney LLP Capital Units and Capital Stock (previously reported at lines 15-17 of Part VII of my Nomination Report) were liquidated in November 2011 as a consequence of my retirement and withdrawal from the practice of law at that law firm.

FINANCIAL DISCLOSURE REPORT

Page 8 of 8

Name of Person Reporting

Hornak, Mark R.

Date of Report

05/10/2013

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/ **Mark R. Hornak**

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