

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) MCAVOY, THOMAS J.	2. Court or Organization U.S. DISTRICT COURT - NDNY	3. Date of Report 06/24/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) SENIOR US DISTRICT COURT 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 FEDERAL BUILDING 15 HENRY STREET BINGHAMTON, NEW YORK 13902		
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. Member Board of Trustees Emeritus - see VIII	Albany Law School
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. 03/06/86	County of Broome-vested retirement health insurance benefit
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.)*

DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1.		
2. 12/31/2012	NYS & Local Employees Retirement System - Pension	\$1,068.48
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.				
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.	Citizens Bank	rental property - Conklin, NY	M
2.	SunTrust Mortgage, Inc.	rental property - Ft. Myers, FL	L
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. Oppenheimer Equity Income Fund A (See note Section VIII)	A	Dividend			Sold	07/17/12	K		
2. Oppenheimer Special Fund A (see note Section VIII)	A	Dividend			Sold	07/17/12	K		
3. Edward Jones - cash/money market - see note section also	A	Int./Div.	J	T					
4. Ft. Myers, FL - Condo	D	Rent	L	W					
5. Conklin, NY - [REDACTED]	G	Rent	M	W					
6. Binghamton, NY single family home	D	Rent	L	W					
7. Conklin, NY undeveloped lot		None	K	W					
8. Sanibel, Florida condominium	D	Rent	N	W					
9. Endicott, NY - 2family	D	Rent	L	W					
10. Kirkwood, NY - single family home	B	Rent	L	W					
11. Long Island Power Auth NY Electric System Gen Ser B Revenue	B	Int./Div.	K	T					
12. Lord Abbett Affiliated FD CL A CUSIP	A	Dividend	K	T					
13. Nuveen New York Municipal Bond Class A See part VIII (X)	C	Int./Div.	M	T					
14. Mutual Global Discovery Fund CL A (X)	A	Dividend	J	T					
15. Franklin Rising Dividends Fund CLA (X)	A	Dividend	J	T					
16. Franklin Mutual Shares Fund CL A (X)	A	Dividend	J	T					
17. Magna International Inc. Class A Common	A	Dividend	J	T	Buy	3/23/12	J		

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 = \$250,000.01 - \$500,000.00	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 \$5,000,000	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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☐ 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 I (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. Cabot Oil & Gas Corp com		None		T	Buy	6/14/12	L		
19. Cabot Oil & Gas Corp com		None			Sold	10/31/12	L		
20. Williams Companies Inc. common stock	A	Dividend	K	T	Buy	6/14/12	L		
21. Chevron Corp Com (see part VIII)		None	K	T	Buy	11/20/12	K		
22. Target Corporation Common (See part VIII)		None	J	T	Buy	11/26/12	J		
23. World Fuel Svcs Corp Com (See part VIII)		None	J	T	Buy	11/26/12	J		
24. Potash Corp of Saskatchewan Inc common (See part VIII)		None	J	T	Buy	11/26/12	J		
25. Kinder Morgan Energy Partners LP (See part VIII)		None	K	T	Buy	11/26/12	K		
26. Edward Jones IRA (see Part VIII)	C	Dividend	O	T					
27. M&T Bank accounts(see Part VIII)	A	Interest	L	T					
28. Oppenheimer Main Street Fund Class A OPTFX (X)	A	Dividend	K	T					
29. Templeton China World Fund CL A TCWAX (X)	A	Dividend	K	T					
30. Templeton Growth Fund CL A (X)	A	Dividend	K	T					
31. Franklin Flex Cap Growth Fund CL A (X)	A	Dividend	K	T					
32. Franklin Small-Mid Cap Growth Fund CL A (X)	A	Dividend	K	T					
33.									

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

Positions: No reportable assets associated with my position as Member of the Board of Trustees of Albany Law School.

Part VII Lines 1 & 2 - Inadvertently omitted from the original 2012 report, these (Oppenheimer) assets were sold to pay for flood damage caused in 2012 to Conklin, NY (asset reported on VII/Line5) Both assets were part of National Financial Services, which name changed sometime in 2012 to Lincoln Investment. The headers were eliminated. Replacing them in lines 1 & 2 resulted in renumbering of the report.

Part VII Line 3 - All individual assets that are part of the Edward Jones brokerage account which are subject to disclosure have been listed.

Part VII Line 11 now renumbered Line 13, Nuvene New York Municipal Bond Class A is the only asset held in Northwestern Mutual Investment Services. Use of the header was discontinued and only the reportable asset appears on Line 13, Part VII. A (X) has been added to the entry since it is being added to the report for the first time.

Part VII Line 24 - IRA account at Edward Jones was not previously reported due to oversight, inadvertence and mistake. This IRA account is funded by 8 municipal bonds all of which have been listed. See lines 14, 15, 16, 28, 29, 30, 31 & 32. A (X) has been added to the description of each since they are being added to the report for the first time. Also, the original report (which this report amends) showed purchases for lines 12, 13 & 14, now lines 14, 15 & 16, however, those were a reinvestment of dividends and are not required to be reported.

Part VII Line 27 - M&T Bank Accounts were not previously reported due to oversight, inadvertence and mistake.

Part VII The assets listed on lines 21 (purchased 11/20/2012), 22, 23, 24 & 25 were purchased on November 26, 2012 and produced no income during calendar year 2012.

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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/ **THOMAS J. MCAVOY**

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
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