

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

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) Merz, Michael R.	2. Court or Organization District Court for the Southern District of Ohio	3. Date of Report 05/06/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Magistrate Judge (recalled full time)	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2011 to 12/31/2011
7. Chambers or Office Address Room 501 200 West Second Street Dayton, Ohio 45402		
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. Insert signature on last page.		

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 and secretary	East End Community Services Corporation
2.	Trustee and secretary-treasurer	Dayton Metro Library Foundation
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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Name of Person Reporting

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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.

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. 2011

does invidual spiritual direction on a fee-foservice basis

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. U.S. Conference of Catholic
Bishops

6/1/2011-11/15/2011

Seattle, Washington &
Baltimore, MDMeetings about child sexual
abuse by clericsAir fare, lodging and meals - some paid to
me, balance to vendors

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.		
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. 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. New Perspective Fund shares	A	Int./Div.	L	T					
2. Growth Fund of America shares	A	Int./Div.	L	T					
3. Washington Mutual Investors Fund shares	B	Int./Div.	L	T					
4. Fidelity Advisors Tech Fund shares		None	K	T					
5. Stifel Nicolaus IRA Fidelity Adv Tech Fund Class T (n.4)		None			Sold	06/07/11	J	D	
6. Fidelity Adv. Tech Fund Class T		None	J	T					
7. Bank of America CD	A	Interest	K	T					
8. Stifel Nicolaus Money Fund	A	Interest	J	T					
9. Ally Bank CD X	A	Interest	K	T	Buy	04/22/11	K		
10. Fifth Third Bank (n.1 - part VIII)	A	Interest	K	T					
11. St. Helen Federal Credit Union (n.2 Part VIII)	A	Interest	J	T					
12. John Hancock Life Insurance cash value policy (n.3 Part VIII)	A	Int./Div.	J	U					
13. MetLife life insurance cash value policy (n.3 Part VIII)	A	Int./Div.	K	U					
14. IRA #1 (Stifel, Nicolaus)	D	Int./Div.	O	T	Buy (add'l)	05/04/11	O		Rollover from TSP
15. - AT&T common shares					Buy	07/13/11	J		
16.					Buy (add'l)	08/02/11	J		
17. - Abbott Laboratories common shares					Buy	07/18/11	J		

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

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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. - Alcoa common shares					Buy	06/15/11	J		
19.					Buy (add'l)	12/28/11	J		
20. - Amgen common					Buy	07/13/11	J		
21. - Apple common					Buy	06/15/11	K		
22.					Buy (add'l)	07/14/11	J		
23.					Sold (part)	07/27/11	J	B	
24. - Applied Materials common					Buy	07/13/11	J		
25.					Buy (add'l)	07/14/11	J		
26.					Buy (add'l)	11/23/11	J		
27.					Sold (part)	11/11/11	J	A	
28. - Avery Denison common					Buy	08/08/11	J		
29. - Bank of NY Mellon common					Buy	08/03/11	J		
30. - Broadcom Class A common					Buy	07/13/11	J		
31.					Buy (add'l)	07/15/11	J		
32. - Campbell Soup common					Buy	07/13/11	J		
33.					Buy (add'l)	07/15/11	J		
34. - Celgene Corp. common					Buy	07/18/11	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 = \$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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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				
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35.					Sold	09/22/11	J	A	
36. - Century Link common					Buy	07/14/11	J		
37. - Cisco Systems common					Buy	08/05/11	J		
38. - Computer Sciences Corp. common					Buy	08/08/11	J		
39.					Buy (add'l)	08/18/11	J		
40.					Buy (add'l)	11/21/11	J		
41. - Direct TV Class A common					Buy	08/10/11	J		
42. - Dow Chemical Common					Buy	09/30/11	J		
43. - Entergy Corp. new common					Buy	08/08/11	J		
44.					Sold	09/22/11	J	A	
45. - Exelon Corp. common					Buy	07/13/11	J		
46.					Buy	07/15/11	J		
47.					Sold	07/15/11	J	A	
48. - Exxon Mobil common					Buy	07/14/11	K		
49. - Federated Ins PA Class B common					Buy	11/25/11	J		
50.					Buy (add'l)	12/28/11	J		
51. - Frontier Communications common					Buy	12/08/11	J		

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52. - Gilead Sciences common					Buy	08/10/11	J		
53. - Goodyear Tire & Rubber common					Buy	10/04/11	J		
54. - Hospira common					Buy	11/29/11	J		
55. - Intel Corp. common					Buy	08/19/11	J		
56.					Sold	09/22/11	J	A	
57. - JP Morgan Chase common					Buy	06/30/11	J		
58.					Buy (add'l)	09/22/11	J		
59. - Johnson & Johnson common					Buy	07/21/11	J		
60. - Kellogg common					Buy	07/13/11	J		
61. - Kimberly Clark common					Buy	07/13/11	J		
62.					Sold	09/22/11	J	A	
63. - Leggett & Platt common					Buy	07/18/11	J		
64. - Logitech Intl SA Namen AKY					Buy	07/13/11	J		
65.					Sold	08/05/11	J		
66. - Mantech Intl Corp. common					Buy	06/30/11	J		
67.					Sold	09/22/11	J		
68. - MEMC Electronic Materials common					Buy	06/15/11	J		

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69.					Buy (add'l)	08/19/11	J		
70.					Buy (add'l)	12/28/11	J		
71. - Microsoft common					Buy	06/15/11	K		
72. - PPL Corp. common					Buy	07/14/11	J		
73. - People United Financial common					Buy	08/05/11	J		
74. - Pitney Bowes common					Buy	07/15/11	J		
75. - Potash Corp. of Saskatchewan common					Buy	06/30/11	J		
76. - Quest Diagnostics common					Buy	08/10/11	J		
77. - Robert Half Intl common					Buy	06/15/11	J		
78.					Sold	11/10/11	J	A	
79. - Royal Dutch Shell PLC sponsored ADR Repstg A common					Buy	07/15/11	J		
80. - Schlumberger common					Buy	09/22/11	J		
81. - Staples common					Buy	08/08/11	J		
82. -State Street Corp. common					Buy	07/15/11	J		
83.					Sold	08/04/11	J		
84. - Supervalu common					Buy	07/29/11	J		
85. - Washington REIT SB1					Buy	09/22/11	J		

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86. - Xerox common					Buy	07/13/11	J		
87.					Buy (add'l)	07/15/11	J		
88.					Buy (add'l)	08/18/11	J		
89. - Logitech Intl SA Namen AKT					Buy	07/13/11	J		
90. - Flextronics Intl					Buy	07/13/11	J		
91.					Buy (add'l)	07/14/11	J		
92. - Ishares Trust S&P US PFD Stock Index Fund					Buy	08/04/11	J		
93.					Buy (add'l)	08/05/11	J		
94. - Market Vectors ETF TR - Rare Earth Strategic Metals ETF					Buy	07/18/11	J		
95. - Bancorpsouth Capital Trust I Trups Pfd 8.15%					Buy	07/28/11	J		
96.					Buy (add'l)	08/08/11	J		
97. - Wachovia Capital Trust IX GTD Trust Pfd Secs 6.375%					Buy	07/29/11	J		
98. - Invesco Van Kampen Trut Investment Grade Municipals					Buy	07/21/11	J		
99. - Nuveen Dividend Advantage Municipal Fund					Buy	07/27/11	K		
100. - Nuveen Dividend Advantage Municipal Fund II					Buy	07/27/11	J		
101. - Nuveen Municipal Value Fund					Buy	07/21/11	K		
102. - Merck & Co. new common					Buy	07/14/11	J		

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103.					Sold	12/30/11	J		
104. - Molex common					Buy	08/08/11	J		
105.					Sold	12/30/11	J		
106. - Raytheon Co new common					Buy	08/04/11	J		
107.					Sold	12/30/11	J		
108. - Stifel Nicolaus Insured Bank Program Money Market					Open	05/04/11	L		
109.									
110.									
111.									

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

n.1 Fifth Third checking and savings accounts were not reportable in 2010 - balance below threshold. Cash deposit from final paycheck and refund of FERS contributions in excess of needed contribution to JRS. Held in cash for taxes.

n.2 income and balance below reporting threshold 12/31/2010

n.3 both of these whole life policies were acquired before 1970 but were not previously reported because I did not previously advert to the fact that life insurance contracts were reportable

n.4 This asset was the only asset in IRA No. 1 prior to the TSP rollover and is not reported with the other assets because it was disposed of in 2011.

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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/ **Michael R. Merz**

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