

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2015

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 U.S. District Court, S.D. Ohio	3. Date of Report 10/16/2016
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Magistrate Judge full time recalled	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☒ Amended Report	6. Reporting Period 01/01/2015 to 12/31/2015
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.		

I. POSITIONS. (Reporting individual only; see pp. 9-13 of filing instructions.)

☐ NONE (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1.		
2.	Trustee, president	East End Community Services Corporation
3.	Trustee, president	Dayton Metro Library Foundation
4.		
5.		

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of filing instructions.)

☒ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

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.)*

DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1. 4/30/2015	University of Dayton School of Law - salary	\$4,500.00
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.				
2. U.S. Conference of Catholic Bishops	6/15/2015-11/15/2015	New Orleans, La., and Baltimore Md.	Meetings about child sexual abuse by clerics	Air fare, lodging, and meals - some paid to me, balance to vendors.
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.)*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. 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. Fifth Third Bank	A	Interest	K	T					
2. John Hancock Life insurance cash value policy	A	Int./Div.	J	U					
3. MetLife insurance cash value policy	A	Int./Div.	K	U					
4. IRA # 1 (Stifel, Nicolaus, then transferred to LPL Financial									
5. - AT&T Common shares	B	Dividend	K	T	Sold (part)	02/17/15	J	A	
6. -Alcoa, Inc.	A	Dividend	J	T	Buy	08/19/15	J		
7. -Amgen common	A	Dividend	K	T					
8. -Apple common	A	Dividend	K	T	Sold (part)	02/17/15	J	C	
9. -Avery Dennison	A	Dividend			Sold (part)	02/17/15	J	A	
10.					Sold	08/24/15	K	C	
11. -Biogen, Inc.	A	Dividend	J	T	Buy	10/15/15	J		
12. -Carriage Services, Inc.	A	Dividend	J	T	Buy (add'l)	08/20/15	J		
13. -Diamond Offshore Drilling Inc.	A	Dividend			Sold (part)	02/17/15	K		
14.					Sold	06/06/15	J		
15. -Donnelly RR & Sons common	A	Dividend	J	T	Sold (part)	02/17/15	J	A	
16. -Expeditors Intl Wash Inc.	A	Dividend	J	T	Sold (part)	02/17/15	J	A	
17. - Express Scripts Holding	A	Dividend	J	T	Sold (part)	02/17/15	J	A	

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 H ~\$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 ~\$250,000,001 - \$500,000,000	K ~\$15,001 - \$50,000 O ~\$500,001 - \$1,000,000	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. - Exxon Mobile common	B	Dividend	K	T	Sold (part)	02/17/15	J	A	
19. -Fastenal Co.	A	Dividend	J	T	Buy	02/12/15	J		
20. -Goodyear Tire & Rubber common	A	Dividend			Sold	08/21/15	K	D	
21. - Hancock Holding Co.	A	Dividend	J	T	Buy	12/11/15	J		
22.					Buy (add'l)	12/17/15	J		
23. -Harley Davidson, Inc.	A	Dividend	J	T	Buy	12/03/15	J		
24. -Health Care REIT Inc. common	A	Dividend	J	T	Sold (part)	02/17/15	J	B	
25. -IBM Corp.	B	Dividend	K	T	Sold (part)	02/17/15	J		
26. -Kellogg Co.	A	Dividend			Sold (part)	02/17/15	J	B	
27.					Sold	12/17/15	J	C	
28. -Microsoft Corp.					Sold	05/12/15	K	D	
29. -Monsanto Co.	A	Dividend	J	T	Buy	06/15/15	J		
30. -PPL Corp. common	A	Dividend	J	T	Sold (part)	02/17/15	J	A	
31. -Peoples United Financial	B	Dividend	K	T	Sold (part)	02/17/15	J	A	
32. -Pfizer, Inc.	A	Dividend			Sold (part)	02/17/15	J	A	
33.					Sold	08/21/15	K	C	
34. -Qualcomm, Inc	A	Dividend	K	T	Buy	12/11/15	K		

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 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)

35. -Rowan Companies PLC	A	Dividend			Sold	08/05/15	J		
36. -Royal Dutch Shell PLC sponsored ADR Repstgn A common	B	Dividend	K	T	Buy (add'l)	08/21/15	J		
37.					Sold (part)	02/17/15	J		
38. -Schlumberger LTD	A	Dividend	J	T	Sold (part)	02/17/15	J	A	
39. -Southwest Airlines	A	Dividend	J	T	Buy	06/15/15	J		
40. -Talen Energy Corp.(X)	A	Dividend	J	T	Sold (part)	06/03/15	J	A	
41. -Verizon Communications	A	Dividend	J	T	Buy	05/12/15	J		
42. -Washington REIT SB1	A	Dividend	K	T	Buy (add'l)	09/01/15	K		
43.					Sold (part)	02/17/15	J	A	
44. -Welltower Inc. (X)	B	Dividend	K	T					
45. -Ishares Trust S&P US PFD Stock Index Fund	B	Dividend	K	T	Sold (part)	02/17/15	J	A	
46. - Nuveen Credit Strategies Income Fund	B	Dividend	K	T	Sold (part)	02/17/15	J		
47.					Sold (part)	05/12/15	K		
48. Alcoa Inc	A	Dividend	J	T	Buy	08/15/15	J		
49. AT&T Inc. common	A	Dividend	K	T					
50. Amgen Inc.common	A	Dividend	K	T					
51. Apple Inc., common	A	Dividend	J	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	
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52. Avery Dennison Corp.		None			Sold	08/24/15	J	C	
53. Biogen, Inc.	A	Dividend	J	T	Buy	10/15/15	J		
54. Carriage Services Inc.	A	Dividend	J	T	Buy (add'l)	08/20/15	J		
55. Diamond Offshore Drilling		None			Sold	08/06/15	J		
56. Donnelly RR & Sons	A	Dividend	J	T					
57. Expeditors Intl Wash Inc	A	Dividend	J	T					
58. Express Scripts Holding Co. common	A	Dividend	J	T					
59. Exxon Mobile Corp. common	A	Dividend	K	T	Buy (add'l)	08/07/15	J		
60. Fastenal Co.	A	Dividend	J	T	Buy	02/12/15	J		
61. Goodyear Tire & Rubber Co. common		None			Sold	08/21/15	K	D	
62. Hancock Holding Company	A	Dividend	J	T	Buy	12/11/15	J		
63.					Buy (add'l)	12/17/15	J		
64. Harley Davidson Inc	A	Dividend	J	T	Buy	12/03/15	J		
65. International Business Machines Corp.	A	Dividend	J	T					
66. Kellogg Company common		None			Sold	12/17/15	J	C	
67. Monsanto Co.	A	Dividend	J	T	Buy	06/15/15	J		
68. Microsoft Corp. common		None			Sold	05/12/15	J	B	

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 \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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69. PPL Corp. common	A	Dividend	J	T					
70. People United Financial Inc. common	B	Dividend	K	T					
71. Pfizer, Inc.		None			Sold	08/21/15	J	B	
72. Qualcomm Inc.	A	Dividend	J	T	Buy	12/11/15	J		
73. Rowan Companies PLC		None			Sold	08/05/15	J		
74. Royal Dutch Shell PLC Sponsored ADR Repstg A shares	A	Dividend	K	T	Buy (add'l)	08/21/15	J		
75. Schlumberger Ltd	A	Dividend	J	T					
76. Southwest Airlines	A	Dividend	J	T					
77. Talen Energy Corp.(X)	A	Dividend	J	T	Sold (part)	06/03/15	J		
78. Verizon Communications	A	Dividend	J	T	Buy	05/12/15	J		
79. Washington Real Estate Investment Trust	B	Dividend	K	T	Buy (add'l)	09/01/15	J		
80. Welltower, Inc.(X)	B	Dividend	K	T					
81. Ishares S&P U.S. Preferred Stock Index ETF	B	Dividend	K	T					
82. Nuveen Municipal Value Fund	B	Dividend	K	T					
83. Nuveen Credit Strategies income Fund		None			Sold	05/12/15	K		
84. - Healthcare REIT, Inc.	A	Dividend			Sold	02/17/15	J	B	
85.									

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
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87.									
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103.									

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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.)*

Virtually all of my reportable assets and those of my [REDACTED] have been in brokerage accounts managed by the same investment firm; all information included in the report for this and prior years is taken from statements from that firm. The same broker has managed the accounts, formerly with Stifel Nicolaus and now with LPL Financial. The Committee's letter of inquiry of October 12, 2016, lists the following assets as appearing on the 2014 report but missing from the original 2015 report:

Abbott Laboratories (line 8), Stewart Enterprises (lines 47 and 100), Watson Pharmaceuticals (line 49), Wellpoint, Inc., (line 50), Invesco Sr. Income Trust (line 55), PVR Partners (line 59), Raytheon (line 60), Healthcare REIT (line 77). Each of these is listed solely as an asset of my IRA (except for Stewart Enterprises which is also listed as a [REDACTED] asset). For each of those listings on the 2014 report, no income, year-end value, or transactions is shown (except for (1) dividends less than \$1,000 for Invesco Sr. Income Trust; (2) dividends of \$1,000-\$2,500 and a year-end value for Healthcare REIT as a spousal asset, and (3) dividends of less than \$1,000 and a year-end value of less than \$15,000 as a [REDACTED] asset for Stewart Enterprises.) Examining the year-end brokerage statement for 2014, I find only the Healthcare REIT listed. This leads me to conclude all the other assets about which you inquired were sold in a prior year and the names of the assets were carried over by the software and not edited out by me, even though they show no income or transactions.

Healthcare REIT was owned as of December 31, 2014, and should have been listed on my original 2015 report. It was sold in February 2015. Accordingly it has been entered in Part VII at line 84 (shown as -Healthcare REIT to show it is an asset of the IRA.)

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Name of Person Reporting

Merz, Michael R.

Date of Report

10/16/2016

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
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