

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) Gerber, Robert E.	2. Court or Organization US Bankruptcy Court SDNY	3. Date of Report 08/05/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) US Bankruptcy Judge - Active	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 Alexander Hamilton U.S. Custom House One Bowling Green Ste 528 New York, NY 10004-1408		
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	Trust #1
2.	Director	American College of Bankruptcy
3.	Director	American Bankruptcy Institute
4.	Member of Board of Governors	National Conference of Bankruptcy Judges
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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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. 2011	Matthew Bender & Co. (LexisNexis), compensation for chapters written as contributing author to Collier on Bankruptcy	\$3,280.00
2. 2011	Hudson Valley Bankruptcy Bar Assn, lecture	\$100.00
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.)*

DATE	SOURCE AND TYPE
1. 2011	Self-employed writer
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. Insolvency Lawyers Association (United Kingdom)	03/24/11-03/27/11	Oxford, England	Speaker at Program	Transportation, Lodging, Food
2. American Bankruptcy Institute	03/30/11-04/03/11	National Harbor, MD	Board and Committee Meetings, Speaker at Program	Transportation, Lodging, Food
3. Turnaround Management Association	04/27/11-04/29/11	Chicago, IL	Speaker at Program	Transportation, Lodging, Food
4. American Bankruptcy Institute	07/21/11-07/24/11	Newport, RI	Speaker at Program	Transportation, Lodging, Food

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5.	Midwest Regional Bankruptcy Seminar	08/12/11-08/14/11	Cincinnati, OH	Speaker at Program	Transportation, Lodging, Food
6.	Hudson Valley Bankruptcy Bar Association	09/08/11-09/09/11	Hyde Park, NY	Speaker at Program	Transportation, Lodging, Food
7.	Georgetown University Law School	09/15/11-09/16/11	Washington, DC	Speaker at Program	Transportation, Lodging, Food
8.	National Conference of Bankruptcy Judges	10/11/11-10/15/11	Tampa, FL	Speaker at Program, Board Meeting	Transportation, Lodging, Food
9.	National Association of Attorneys General	10/25/11-10/28/11	Austin, TX	Speaker at Program	Transportation, Lodging, Food
10.	American Bankruptcy Institute	12/01/11-12/03/11	Palm Springs, CA	Board and Committee Meetings	Transportation, Lodging, Food

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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.	Northwestern Mutual Life	Policy Loans	L
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 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)

1. IN BROKERAGE ACCT #1 (Fidelity Investments):									
2. - Columbia Acorn Fund Mutual Fund Shares	D	Dividend	N	T	Donated (part)				
3. - Rockland Co. NY, 3.50%, 2013, Muni Bonds	B	Interest	L	T					
4. - NY State Thruway Auth., 5.00%, 2012, Muni Bonds	B	Interest	L	T					
5. - NY State Thruway Auth., 5.50%, 2013, Muni Bonds	D	Interest	M	T					
6. - NY State Thruway 5.0%, 2019, Muni Bonds	B	Interest	L	T					
7. - Vanguard Intermediate Term Tax Exempt Mut Fund Shares	A	Dividend			Sold	03/18/11	J	B	Not Applicable
8. - Fidelity Municipal Money Mkt Mut Fund Shares	A	Dividend	N	T					
9. - Vanguard Limited Term Tax Exempt Fund Mutual Fund Shares	B	Dividend	K	T	Sold (part)	03/29/11	L	A	Not Applicable
10. - Same					Sold (part)	05/16/11	K	A	Not Applicable
11. - Same					Sold (part)	06/01/11	K	A	Not Applicable
12. - Same					Sold (part)	06/07/11	K	A	Not Applicable
13. - Fidelity Contrafund Mut Fund Shares	A	Dividend	K	T					
14. - American Growth Fund of America Cl F Mut Fund Shares	A	Dividend	K	T					
15. - Eaton Vance Large Cap Value Fund Mut Fund Shares	A	Dividend			Sold	06/01/11	K	D	Not Applicable
16. - Baron Growth Fund Mut Fund Shares	A	Dividend	K	T					
17. - Pimco Total Return Fund Mut Fund Shares	D	Dividend	M	T	Sold (part)	07/01/11	L	A	Not Applicable

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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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. - Templeton Global Bond Fund Advisor Class	D	Dividend	M	T					
19. - Royce Total Return Fund Mut Fund Shares	B	Dividend	L	T	Buy	03/29/11	L		Not Applicable
20. - BlackRock Equity Dividend Fund Institut Mut Fund Shares	A	Dividend	K	T	Buy	06/01/11	K		Not Applicable
21. IN BROKERAGE ACCT #2 (Fidelity Investments):									
22. - Rockland Co. NY, 3.50%, 2014, Muni Bonds	C	Interest	L	T					
23. - NY State Housing Finance Agency, 5.25%, 2015, Muni Bonds	C	Interest	L	T					
24. - NY City, NY 5.50%, 2014, Muni Bonds	C	Interest	L	T					
25. - Fidelity Municipal Money Mkt Mut Fund Shares	A	Dividend	J	T					
26. ROLLOVER IRA #1, FIDELITY INVESTMENTS	E	Int./Div.	O	T					
27. - Fidelity Cash Reserves Money Mkt Mut Fund Shares									
28. - Royce Total Return Fund Mutl Fund Shares					Sold	03/29/11	L		Not Applicable
29. - Tweedy Browne Global Value Fund Mut Fund Shares									
30. - Baron Growth Mut Fund Shares									
31. - Fidelity Contrafund Mut Fund Shares									
32. - Eaton Vance Large Cap Value Fund Mut Fund Shares					Sold	06/01/11	L		Not Applicable
33. - Federal Farm Credit Bank, 4.60%, 2015 Bonds					Matured	05/27/11	L	A	Not Applicable
34. - Fidelity US Govt Reserves Money Mkt Mut Fund Shares					Sold	02/16/11	M		Not Applicable

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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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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. - Ivy Asset Strategy Fund CI 1 Mut Fund Shares									
36. - Same					Buy (add'l)	03/21/11	K		Not Applicable
37. - Morgan Stanley Global Long/Short Fund Mut Fund Shares					Buy	02/16/11	M		Not Applicable
38. - Same					Sold	03/01/11	M		Not Applicable
39. - Same					Buy	03/30/11	M		Not Applicable
40. - BlackRock Global Allocation Fund Instit Mut Fund Shares					Buy	03/21/11	K		Not Applicable
41. - Pimco Total Rund Fund Institutional Mut Fund Shares					Buy	06/30/11	L		Not Applicable
42. IRA (#1), FIDELITY INVESTMENTS	D	Dividend	L	T					
43. - Fidelity Cash Reserves Money Mkt Mut Fund Shares									
44. - Templeton Global Bond Advisor Class Mut Fund Shares									
45. IRA (#2), FIDELITY INVESTMENTS	B	Dividend	L	T					
46. - Tweedy Browne Global Value Fund Mut Fund Shares									
47. - Baron Growth Mut Fund Shares									
48. - Fidelity Contrafund Mut Fund Shares									
49. - Fidelity Cash Reserves Money Mkt Mut Fund Shares									
50. - Fidelity US Govt Reserves Money Mkt Mut Fund Shares					Sold	06/30/11	J		Not Applicable
51. IN BROKERAGE ACCOUNT #3									

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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52. - Spartan 500 Index Fid Investor Class Mutual Fund Shares	A	Dividend	K	T					
53. - Baron Growth Mutual Fund Shares	A	Dividend	J	T					
54. - Fidelity Municipal Money Mkt Mut Fund Shares	A	Dividend	J	T					
55. LIMITED PARTNERSHIP INTERESTS:									
56. - Broadway 72 Assocs, Ltd Partnership Interest	G	Distribution	J	U					
57. -FFHS&K Investment Assocs. 1983-I, Ltd Partnership Interest		None	J	U					
58. ROLLOVER IRA #2, FIDELITY INVESTMENTS	E	Int./Div.	O	T					
59. - Fidelity Cash Reserves Money Market Mut Fund Shares									
60. - Royce Total Return Fund Mut Fund Shares									
61. - American Growth Fund of America Mut Fund Shares									
62. - Fidelity Contrafund Mut Fund Shares									
63. - Federal Farm Credit Bank, 4.875%, 2018 Bonds									
64. - Pimco Total Return Fund-Institutional Mut Fund Shares					Sold	03/21/11	M		Not Applicable
65. - Blackrock Global Allocat Fund-Institut'l Mut Fund Shares					Buy (add'l)	03/21/11	M		Not Applicable
66. - Ivy Asset Strategy Fund Class 1 Mut Fund Shares					Buy (add'l)	03/21/11	M		Not Applicable
67. - Baron Growth Fund Mut Fund Shares					Buy	06/30/11	J		Not Applicable
68. 529 PLAN, FIDELITY INVESTMENTS		None	M	T					

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69. - Fidelity UNIQUE 2015 Portfolio									
70. INSURANCE POLICIES									
71. - Northwestern Mutual Whole Life Policy #1	D	Dividend	M	T					
72. - Northwestern Mutual Whole Life Policy #2	C	Dividend	L	T					
73. - Northwestern Mutual Whole Life Policy #3	C	Dividend	K	T					
74. - Northwestern Mutual Whole Life Policy #4	C	Dividend	K	T					
75. - Northwestern Mutual Whole Life Policy #5	B	Dividend	K	T					
76. ROLLOVER IRA #3 (Morgan Stanley Smith Barney)	E	Int./Div.	N	T					
77. - Dreyfus Money Mkt Govt Secur Series Mut Fund Shares									
78. - WI Clean Water 4.391% 2019 Muni Bonds									
79. - NY Environmental Facilities 4.469% 2019 Muni Bonds									
80. - NY City NY 4.899% 2020 Muni Bonds									
81. - Timpanogos UT 4.69% 2018 Muni Bonds									
82. - San Luis Obispo Cnty CA 7.45% 2019 Muni Bonds									
83. - Brazoria Cnty TX 4.594% 2019 Muni Bonds									
84. - FL St Board of Ed 4.941% 2018 Muni Bonds									
85. - Kauai Cnty HI 4.556% 2021 Muni Bonds									

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86. - Stevens Pt WI 4.40% 2018 Muni Bonds									
87. - Dallas TX 4.489% 2020 Muni Bonds									
88. - Anchorage AK 4.518% 2020 Muni Bonds									
89. - Los Angeles CA 4.53% 2022 Muni Bonds									

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

Part VII: The dividends shown for mutual funds, as in the past, include capital gains dividends.

As in the past, routine deposits or withdrawals (i.e., purchases or sales) of money market funds have not been deemed to be reportable transactions, and have not been shown, but again as in the past, the income from the money market funds during the Reporting Period has been shown. However, when I have made final sales, and initial purchases, of such money market funds, I have shown such final sales, and initial purchases, as reportable "Sell" and "Buy" transactions. Transactions involving the reinvestment of mutual fund dividends and capital gains distributions are not shown as reportable transactions; however, the income from them is shown.

In 2006 and prior years, in the case of the whole life insurance policies shown on Lines #71 through #75 of this report, the "Income" shown had been the increase in cash value in each policy. In 2007, I began to apply dividends on the policies to reduce policy loans, and since then the increase in cash value is no longer the same as the dividend on each policy. As in my reports for 2007 and thereafter, the "Income" shown is the dividend on each policy, and not the cash value increase, as the former is a better indication of the income on each policy. The value shown for each policy is its net cash value, after subtracting outstanding loans from the gross cash value.

Twelve equal monthly purchases of less than \$1,000 each were made of shares of the Fidelity UNIQUE 2015 Portfolio in the 529 Plan. They are not individually shown, since investments that do not exceed \$1,000 are not to be individually reported. The aggregate value of the plan at the end of the year, which is to be reported, reflects those purchases, and investment results with respect to them.

The bonds listed on Line #33 were called before maturity. As the FDR software's transaction type descriptions do not include "Called," I have used "Matured" as an approximation for that.

The trades shown on lines #37, #38 and #39 were arranged by a financial advisor. For reasons that are unclear to me (but that did not involve an investment decision on my part), they were reversed shortly after their initial execution and re-executed the following month.

The limited partnership shown on line #56 made a sizeable distribution to me in 2011. It is obvious that an investment that could generate a distribution at the "G" level has more than minimal value. But it is not publicly traded or otherwise valued, and, as in past years, only the book value of that investment is known. Thus the "J" Code, based on that book value, continues to be shown for 2011.

I noted in my report for 2010 that Trust #1 had investment assets of less than \$1, and would not be shown in future reports. If Trust #1 still has any investment assets at all, they have not been reported to me, and continue to be of a value less than \$1. Thus assets for Trust #1 are not shown in Part VII of this report.

For ease of entry, and review, account name headers appear for accounts that are not aggregate ownership accounts.

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08/05/2012

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/ **Robert E. Gerber**

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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