

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2018

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 03/11/2019
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Magistrate Judge (FT recalled)	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2018 to 12/31/2018
7. Chambers or Office Address 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.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Trustee/ director, president	Dayton Metro Library Foundation
2. Director	State Library of Ohio
3. Director	East End Neighborhood Development Corporation
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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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.)*DATESOURCE AND TYPEINCOME
(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.)*DATESOURCE 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.)*SOURCEDATESLOCATIONPURPOSEITEMS 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.)*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 (cash)	A	Interest	K	T					
2. John Hancock Life insurance cash value policy	A	Int./Div.	J	T					
3. MetLife insurance cash value policy	A	Int./Div.	K	T					
4. IRA # 1 (H)									
5. LPL FINANCIAL US BANK NATIONAL ASSN SWEEP ACCOUNT (CASH)	A	Interest	K	T					
6. ALPHABET INC CL C (GOOG)		None	J	T	Buy	10/29/18	J		
7. Amgen common (AMGN)		None			Sold	02/09/18	K	D	
8. APPLE INC (AAPL)		None	J	T	Buy	12/19/18	J		
9. APPLIED MATERIALS INC (AMAT)	A	Dividend	J	T	Buy	10/04/18	J		
10. AT&T Common shares (T)	A	Dividend	J	T	Sold (part)	02/20/18	J	A	
11. Autozone Inc (AZO)		None	J	T					
12. Biogen, Inc. (BIIB)		None	J	T					
13. Bristol-Myers Squibb (BMY)	A	Dividend	J	T	Sold (part)	02/20/18	J	A	
14. Carriage Services, Inc. (CSV)	B	Dividend	J	T	Sold (part)	02/20/18	J	A	
15. CATERPILLAR INC (CAT)	A	Dividend	J	T	Buy	05/16/18	J		
16. CIGNA CORP NEW (CI) (FORMERLY Express Scripts Holding (ESRX))		None	K	T	Sold (part)	02/20/18	J	A	
17. CVS Health Corp (CVS)	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 H = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 I = More than \$5,000,000	E = \$15,001 - \$50,000 J = More than \$50,000,000
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	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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18. Expeditors Intl Wash Inc. (EXPD)	A	Dividend			Sold (part)	02/20/18	J	A	
19.					Sold	12/07/18	J	D	
20. Exxon Mobil common (XOM)	A	Dividend			Sold	09/27/18	K		
21. Fastenal Co. (FAST)	A	Dividend			Sold	02/02/18	J	B	
22. Federated INVS Inc PA CL B (FII)	B	Dividend	K	T	Sold (part)	02/20/18	J	A	
23. FEDEX CORP (FDX)	A	Dividend	J	T	Buy	06/27/18	J		
24. FRANKLIN RESOURCES INC (BEN)	A	Dividend	J	T	Buy	03/15/18	J		
25. GOODYEAR TIRE AND RUBBER COMPANY (GT)	A	Dividend	J	T	Buy	03/26/18	J		
26. Grainger WW Inc (GWV)		None			Sold	02/05/18	J	C	
27. Hospitality PPTYS TR (HPT)	A	Dividend	K	T					
28. INTERNATIONAL PAPER COMPANY (IP)		None	J	T	Buy	09/27/18	J		
29. INTL BUSINESS MACHINES (IBM)		None	J	T	Buy	12/17/18	J		
30. Invesco LTD (IVZ)	A	Dividend	J	T	Sold (part)	02/20/18	J	A	
31. JOHNSON & JOHNSON (JNJ)	A	Dividend	K	T	Buy	05/17/18	K		
32. KIMCO REALTY CORP (KIM)		None			Buy	02/15/18	K		
33.					Sold (part)	02/20/18	J	A	
34.					Sold	06/25/18	K	C	

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		
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35. LOCKHEED MARTIN CORP LMT		None	J	T	Buy	12/07/18	J		
36. Lowes Companies Inc (LOW)	A	Dividend	J	T	Sold (part)	02/20/18	J		
37. McKesson Corp (MCK)	A	Dividend	J	T	Sold (part)	02/20/18	J	A	
38. NEWELL BRANDS INC (NWL)	A	Dividend	J	T	Buy	03/09/18	J		
39. Peoples United Financial (PBCT)	A	Dividend	K	T	Sold (part)	02/20/18	J	B	
40. Pitney Bowes Inc (PBI)	A	Dividend			Sold (part)	02/20/18	J		
41.					Sold	05/03/18	K		
42. Qualcomm, Inc (QCOM)	A	Dividend	K	T					
43. REALTY INCOME CORP (O)	A	Dividend	K	T	Buy	02/08/18	K		
44. Royal Dutch Shell PLC sponsored ADR Repstgn A common (RDS/A)	B	Dividend	K	T	Sold (part)	02/20/18	J		
45. SCHLUMBERGER LTD (SLB)	A	Dividend	J	T	Buy	10/11/18	J		
46. Southwest Airlines (LUV)	A	Dividend	J	T					
47. Stericycle Inc (SRCL)		None			Sold (part)	02/20/18	J		
48.					Sold	02/23/18	J		
49. Verizon Communications (VZ)	B	Dividend	K	T	Sold (part)	02/20/18	J		
50. WALT DISNEY CO (DIS)	A	Dividend	K	T	Buy	05/03/18	J		
51. Washington REIT SB1 (WRE)	B	Dividend	K	T	Sold (part)	02/20/18	J	A	

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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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52. Welltower Inc. (HCN)		None	J	T	Sold (part)	02/20/18	J		
53. Ishares S&P US Preferred Stock Index Fund (PFF)	B	Dividend	K	T	Sold (part)	02/20/18	J	A	
54. Nuveen Municipal Value Fund (NUV)	B	Dividend	K	T	Sold (part)	02/20/18	J		
55.					Sold (part)	12/19/18	J		
56. IRA #2 (H)									
57. LPL FINANCIAL US BANK NATIONAL ASSN SWEEP ACCOUNT (CASH)	A	Interest	K	T					
58. ALPHABET INC CL C (GOOG)		None	J	T	Buy	10/29/18	J		
59. APPLE INC (AAPL) (X)		None	J	T					
60. APPLIED MATERIALS INC (AMAT)		None	J	T	Buy	10/04/18	J		
61. AT&T Common shares (T)	A	Dividend	J	T					
62. Amgen common (AMGN)		None			Sold	02/09/18	K	D	
63. Autozone Inc (AZO)		None	J	T					
64. Biogen, Inc. (BIIB)		None	J	T					
65. Bristol-Myers Squibb (BMY)	A	Dividend	J	T					
66. Carriage Services, Inc. (CSV)	A	Dividend	J	T					
67. CATERPILLAR INC (CAT)	A	Dividend	J	T	Buy	05/16/18	J		
68. CIGNA CORP NEW (CI) (FORMERLY Express Scripts Holding (ESRX))		None	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
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69. CVS Health Corp (CVS)	A	Dividend	J	T					
70. Expeditors Intl Wash Inc. (EXPD)	A	Dividend			Sold	12/07/18	J	D	
71. Exxon Mobil common (XOM)	A	Dividend			Sold	09/27/18	K		
72. Fastenal Co. (FAST)	A	Dividend			Sold	02/02/18	J	B	
73. Federated INVS Inc PA CL B (FII)	A	Dividend	K	T					
74. FEDEX CORP (FDX)	A	Dividend	J	T	Buy	06/27/18	J		
75. FRANKLIN RESOURCES INC (BEN)	A	Dividend	J	T	Buy	03/15/18	J		
76. GOODYEAR TIRE & RUBBER (GT)	A	Dividend	J	T	Buy	03/26/18	J		
77. Grainger WW Inc (GWW)		None			Sold	02/05/18	J	C	
78. Hospitality PPTYS TR (HPT)	A	Dividend	J	T					
79. INTERNATIONAL PAPER COMPANY (IP)	A	Dividend	J	T	Buy	09/27/18	J		
80. INTL BUSINESS MACHINES CORP (IBM) (X)		None	J	T					
81. Invesco LTD (IVZ)	A	Dividend	J	T					
82. JOHNSON & JOHNSON (JNJ)	A	Dividend	J	T	Buy	05/17/18	J		
83. KIMCO REALTY CORP (KIM)		None			Buy	02/15/18	J		
84.					Sold	06/25/18	K	C	
85. LOCKHEED MARTIN CORP (LMT)		None	J	T	Buy	12/07/18	J		

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93. Royal Dutch Shell PLC sponsored ADR Repstgn A common (RDS/A)	B	Dividend	K	T					
94. SCHLUMBERGER LTD (SLB)	A	Dividend	J	T	Buy	10/11/18	J		
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98. WALT DISNEY CO (DIS)	A	Dividend	J	T	Buy	05/03/18	J		
99. Washington REIT SB1 (WRE)	B	Dividend	K	T					
100. Welltower Inc. (HCN)	A	Dividend	J	T					
101. Ishares S&P US Preferred Stock Index Fund (PFF)	B	Dividend	K	T					
102. Nuveen Municipal Value Fund (NUV)	B	Dividend	K	T					

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103. Investment Account #1 (H)									
104. LPL FINANCIAL US BANK NATIONAL ASSN SWEEP ACCOUNT (CASH) (X) (Y)									
105. Akre Focus Retail CL (AKREX)		None			Sold	04/11/18	J	A	
106. Artisan Global Value Investors CL (ARTGX)		None			Sold	04/11/18	J	A	
107. Diamond Hill Corp Credit CL I (DHSTX)	A	Dividend			Sold	04/11/18	J	A	
108. Doubleline Total Return Bond (DLTNX)	A	Dividend			Sold	04/11/18	J		
109. IVA Worldwide CL A (IVWIX)		None			Sold	04/11/18	J	A	
110. James Balanced Golden Rainbow Retail CL (GLRBX)	A	Dividend			Sold	04/11/18	J		
111. Wells Fargo Absolute Return ADM CL (WARDX)		None			Sold	04/11/18	J	A	
112. Western Asset Macro Opptys CL I (LAOLX) (Y)									
113. Westwood Income OPPTYs CL (WHGIX)	A	Dividend	J	T	Sold (part)	04/11/18	J	A	
114. INVESCO QQQ SER 1 ETF (QQQ)	A	Dividend	J	T	Buy	04/11/18	J		
115.					Buy (add'l)	09/04/18	J		
116. ISHARES US PREFERRED STOCK EIF (PFF)	A	Dividend	J	T	Buy	04/11/18	J		
117.					Buy (add'l)	09/04/18	J		
118. ISHARES IBOXX \$ HIGH YIELD CORP BOND ETF (HYG)	A	Dividend	J	T	Buy	04/11/18	J		
119.					Buy (add'l)	09/04/18	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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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)
120. ISHARES RUSSELL 1000 GROWTH ETF (IWF)	A	Dividend	J	T	Buy	04/11/18	J		
121.					Buy (add'l)	09/04/18	J		
122. ISHARES SELECT DIVIDEND TF (DIVY)	A	Dividend	J	T	Buy	04/11/18	J		
123.					Buy (add'l)	09/04/18	J		
124. SCHWAB INTL EQUITY ETF (SCHF)	A	Dividend	J	T	Buy	04/11/18	J		
125.					Buy (add'l)	09/04/18	J		
126. SPDR SERIES TRUST S&P DIVIDEND ETF (SDY)	A	Dividend	J	T	Buy	04/11/18	J		
127.					Buy (add'l)	09/04/18	J		
128. SPDR SERIES TRUST S&P 400 MID CAP GROWTH ETF (MDYG) (Y)					Buy	04/11/18	J		
129. VANGUARD SHORT TERM BOND ETF (BSV)	A	Dividend	J	T	Buy	04/11/18	J		
130.					Buy (add'l)	09/04/18	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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Merz, Michael R.

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

Part VII, lines 2 and 3: Whole life policies.

Part VII, lines 5 and 57: Name change; formerly Goldman Sachs Bank Insured.

Part VII, line 128: Following a reportable purchase, this asset became unreportable without a corresponding reportable transaction.

Part VII, Column B: Lines reflecting no income are so reported because none was attributed to those particular holdings during the reporting period, whether taxable, tax exempt, or tax deferred, or because the investments do not allocate income to individual holdings, but instead are credited only in unit value, per page 42 of the filing instructions.

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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
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