

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) Payson, Marian W.	2. Court or Organization U.S.D.C., W.D.N.Y.	3. Date of Report 07/25/2019
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Magistrate Judge-Fulltime	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 2310 U.S. Courthouse 100 State Street Rochester, New York 14614		
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	The Harley School
2.		
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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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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
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.)*

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
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.			
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. Janus Growth and Income Fund - Mutual Fund	E	Dividend	N	T					
2. Vanguard Federal Money Market Fund	A	Interest	K	T					
3. Blackrock Core Bond Fund - Mutual Fund	B	Dividend	L	T					
4. Blackrock LO Duration BD Inv. A - Mutual Fund	B	Dividend	L	T					
5. Templeton Foreign Fund A - Mutual Fund	B	Dividend	L	T					
6. Morgan Stanley Money Market Funds	B	Int./Div.	N	T					
7. Summit Federal Credit Union #1	A	Interest	K	T					
8. Summit Federal Credit Union #2	A	Interest	J	T					
9. Vanguard Bond Mkt Index Inv - Mutual Fund	A	Dividend	K	T					
10. Vanguard Wellington Fund Inv - Mutual Fund	C	Dividend	K	T					
11. Vanguard Small Cap Value Index - Mutual Fund	A	Dividend	K	T					
12. Vanguard Total Stock Mkt Index Inv - Mutual Fund #2	A	Dividend	K	T					
13. NY College Savings Program Conservative Portfolio		None	K	T	Distributed (part)	01/11/18	J	D	
14.					Distributed (part)	02/07/18	J	D	
15.					Distributed (part)	07/12/18	J	D	
16. NY College Sav. Program Income Portfolio		None	L	T	Distributed (part)	01/11/18	J	D	
17.					Distributed (part)	02/07/18	J	D	

1. Income Gain Codes:	A = \$1,000 or less (See Columns B1 and D4)	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	J = \$15,000 or less (See Columns C1 and D3)	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes	Q = Appraisal (See Column C2)	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 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.					Distributed (part)	07/12/18	J	D	
19. American Growth Fund of America, A	E	Dividend	M	T					
20. Wells Fargo High Yld Bd Fund	A	Dividend	K	T					
21. American Cent Growth Adv.	C	Dividend	K	T					
22. Blackrock Equity Dividend A Mutual Fund	E	Dividend	M	T					
23. Nuveen Int Dur Muni Bond A Mutual Fund	C	Dividend	M	T					
24. Janus Henderson Mid Cap Value Fund	D	Dividend	K	T					
25. Nuveen Ltd Term Muni Bond Mutual Fund	C	Dividend	M	T					
26. Nuveen NWQ Int'l Value Mutual Fund	B	Dividend	M	T					
27. Vanguard Prime Money Mkt Fund	C	Interest	M	T					
28. Lazard Emerging Mkts Mutual Fund	A	Dividend	J	T					
29. DWS Real Estate Sec Fund	A	Dividend	K	T					
30. Columbia Large Cap Growth Fund A	A	Dividend	J	T	Sold (part)	02/22/18	J	A	
31. Federated Cap. Preserv. Fund-held by profit sharing plan	A	Int./Div.			Sold	07/27/18	L		
32. JP Morgan Equity Income R5 Fund -- held by profit sharing plan	C	Int./Div.			Sold	07/27/18	N		
33. Walt Disney Co. Common Stock	A	Dividend	J	T					
34. NY St Dorm Auth Bond Revs Non St Supported Debt Rev. A	B	Interest	K	T					

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. Metropolitan Trans Auth NY Rev Ref D	B	Interest	K	T					
36. Metropolitan Trans Auth NY Rev. E	B	Interest	K	T					
37. Exxon Mobil Corp	A	Dividend	J	T					
38. PPL Corporation	A	Dividend	J	T					
39. Public Service Enterprise GP	A	Dividend	J	T					
40. iShares Core U.S. Aggregate	A	Dividend	J	T					
41. iShares S&P Midcap 400 Index	A	Dividend	K	T					
42. E V Floating Rate I	A	Dividend	K	T					
43. Federated Strat Val Div Inst	C	Dividend	K	T					
44. Goldman Sachs US Eq Dv Prem I	B	Dividend	K	T					
45. Harbor International Inst	D	Dividend	J	T					
46. Nev. College Sav. Trust Fund - Vanguard Aggressive Age Portfolio (X)		None	K	T	Distributed (part)	07/23/18	J	B	
47.					Distributed (part)	10/22/18	J	B	
48. JP Morgan US LG CP PLS SEL	A	Dividend	J	T					
49. Pimco Total Return Inst	A	Dividend	K	T					
50. T Rowe Price Short Term Bd Fd	A	Dividend	J	T					
51. Templeton Global Bd Fd Adv	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 \$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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	(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)
52. Touchstone Sands Cap Sel Gr Y	D	Dividend	K	T					
53. NYC Muni Wtr Fin Auth Rev - FF Bond	B	Interest	L	T					
54. Madison Cnty NY Cap Resource Bond	A	Interest	K	T					
55. Madison Cnty NY Cap Resource Bond	A	Interest	J	T					
56. NYC Muni Wtr Fin Auth Rev HH Bond	A	Interest	K	T					
57. Wells Fargo Special Mid Cap Value Fund	B	Dividend	L	T					
58. T Rowe Price Real Estate Fund	A	Dividend	J	T					
59. Invesco Prem. U.S. Gov't Mny Portfolio	A	Interest	L	T					
60. NYS Deferred Comp. Bd Equity Index U/A (NYS Deferred Comp)	A	Dividend	L	T					
61. Stable Income Fund (NYS Deferred Comp)	A	Dividend	K	T					
62. Vanguard Wellington Adm. (NYS Deferred Comp)	A	Dividend	J	T					
63. Federated Cap Preserv. R6 Fund - held by profit sharing plan	A	Dividend	L	T	Buy	07/27/18	L		
64.					Distributed (part)	12/10/18	J		
65. Vanguard Equity Income Admiral - held by profit sharing plan	E	Dividend	N	T	Buy	07/27/18	N		
66.					Distributed (part)	12/10/18	J		
67. Oppenheimer Rochester Funds (X)	B	Distribution			Distributed	05/09/18	J		
68. Oppenheimer Rochester Funds (X)	A	Distribution			Distributed	11/09/18	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 \$5,000,000	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.)*

(a) The gain reflected as "D" in Section VII, lines 13 through 18 represents the aggregate amount for all six partial distributions of the portfolios. The NY College Savings Program Form 1099-Q reflects only the aggregate gain/earnings for the six 2018 distributions.

(b) The mutual fund identified in Section VII, line 24 of last year's financial disclosure form (Janus Perkins Mid Cap Value Mutual Fund) has been renamed the Janus Henderson Mid Cap Value Fund and is listed as such on line 24 of this year's form.

(c) The fund identified in Section VII, line 30 of last year's financial disclosure form (Deutsche Real Estate Sec Fund) has been renamed DWS Real Estate Securities Fund and is listed as such on line 29 of this year's form.

(d) The asset reported in Section VII, line 46, a Nevada College Savings Trust Fund – Vanguard Aggressive Age Portfolio, was established by third party owners who do not live in our household. I do not know the date the fund was established or the amount(s) contributed to the fund since it was established.

In 2017, my dependent [REDACTED] received a 1099-Q reflecting that a distribution was made for my [REDACTED] tuition from the fund. The 1099-Q identified the fund's asset as The Vanguard 529 College Savings Plan and that a distribution was made; the amount of the distribution falls within value category "J." The amount of the earnings/gain on the distribution falls within category "A." I inadvertently overlooked reporting that asset and the distribution (which occurred on 12/6/17) on last year's financial disclosure form. I have learned this year that the gross value of the asset at the end of the year 2017 fell within category "K," per value method "T," and there was no reported income.

With respect to this year's form, the gain reflected as "B" on lines 46 and 47 represents the aggregate amount for the two partial distributions of the portfolio. The Nevada College Savings Trust Fund Form 1099-Q reflects only the aggregate gain/earnings for the two 2018 distributions.

(e) To further explain Section VII, lines 67 and 68, on May 9, 2018, and on November 9, 2018, I received proceeds from a class action settlement (Oppenheimer Rochester Funds Group Securities Litigation) relating to an investment I sold in 2014. The sale of that investment was reported on line 17 of my financial disclosure report for the calendar year 2014. The amount of the settlement proceeds distributed to me in May 2018 falls within income category "B," and the amount distributed to me in November 2018 falls within income category "A."

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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/ Marian W. Payson**

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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Washington, D.C. 20544