

FINANCIAL DISCLOSURE REPORT

FOR CALENDAR YEAR 2003

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) Barke t, Rosemary		2. Court or Organization U.S. Court of Appeals, Eleventh Circuit		3. Date of Report 4/28/05
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Circuit Judge - Active	5. Report Type (check appropriate type) ____ Nomination, Date _____ ____ Initial <u>XX</u> Annual ____ Final		6. Reporting Period 1-01-04 to 12-31-04	
7. Chambers or Office Address 99 NE 4th Street Suite 1223 Miami, Florida, 33132		8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____		

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. Sign on last page.

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

POSITION	NAME OF ORGANIZATION/ENTITY
☐ NONE (No reportable positions.)	

1	Member, Board of Trustees	Barty University
2	Member, Board of Trustees	Lawyers For Children, America
3		

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

DATE	PARTIES AND TERMS
☐ NONE (No reportable agreements.)	
1 9/1/79	State of Florida, Div. of Retirement; Sect. 401(a), L.R.C.
2 10/1/82	Aetna Life Ins.; Deferred Comp., Sect. 457, L.R.C.
3 3/3/87	Nationwide Life Ins.; Deferred Com., Sect. 457, L.R.C.

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III. NON-INVESTMENT INCOME. (Reporting individual and spouse; see pp. 17-24 of Instructions.)

DATE	SOURCE AND TYPE	GROSS INCOME (yours, not spouse's)
☐ NONE (No reportable non-investment income.)		
1 2004	State of Florida Retirement (Aetna & Nationwide)	\$ 17,495.21
2 2004	State of Florida Judicial Retirement	\$ 42,554.76
3 July 2004	New York University - Teaching Appellate Judges Seminar	\$ 1,800.00
4 July 2004	Aspen Institute - Justice & Society Program	\$ 500.00
5		\$

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IV. REIMBURSEMENTS – transportation, lodging, food, entertainment. (Includes those to spouse and dependent children. See pp. 25-27 of Instructions.)

SOURCE

DESCRIPTION

☐ NONE (No such reportable reimbursements.)

1	American Constitution Society	June 18 - 20, 2004 - Wash. DC - Airfare
2	New York University - Appellate Judges Seminar	July 11-16, 2004 - New York, NY - airfare, meals, lodging
3	Aspen Institute - Justice & Society Program	July 16-24, 2004 - Aspen, CO - airfare, meals, lodging
4	Jacksonville Women Lawyers Assoc. Luncheon	Oct. 1, 2004 - Jacksonville, FL - airfare, cabs
5	Donahue Lecture - Suffolk University	Oct. 14 - 15, 2004 - Boston, Mass - airfare, parking
6	National E Discovery Forum - University of Missouri	Nov. 1 - 2, 2004 - Kansas City, MO - cab, meal
7		

V. GIFTS. (Includes those to spouse and dependent children. See pp. 28-31 of Instructions.)

SOURCE

DESCRIPTION

VALUE

☒ NONE (No such reportable gifts.)

1			\$
2			\$
3			\$
4			\$

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-33 of Instructions.)

CREDITOR

DESCRIPTION

VALUE CODE*

☐ NONE (No reportable liabilities.)

1	Citicorp (purchase July 2002)	Real Estate Mortgage (1/2 owner)	O
2	Farm Credit, Homestead, FL	Real Estate Mortgage (1/3 owner)	K
3			
4			
5			

*Value Codes: J=\$15,000 or less K=\$15,001-\$50,000 L=\$50,001-\$100,000 M=\$100,001-\$250,000 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=\$50,000,001 or more

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VII. Page 1 INVESTMENTS and TRUSTS – income, value, transactions (Includes those of spouse and dependent children. See pp. 34-57 of Instructions.)

A. Description of Assets (including trust assets) <i>Place "(X)" after each asset exempt from prior disclosure.</i>	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	Amt. Code1 (A-F)	Type (e.g., div., rent or mt.)	Value Code2 (J-P)	Value Method Code3 (Q-W)	Type (e.g., buy, sell, merger, redemption)	(2) Date: Month- Day	(3) Value Code2 (J-P)	(4) Gain Code1 (A-E)	(5) Identity of buyer/seller (if private transaction)
☐ NONE (No reportable income, assets,									
1 Aetna Deferred Comp Plan (now ING Life)	D	Dividend	L	T					
2 Travel. A(TAPA) was exch./St Paul Travelers	A	Dividend	J	T		4/04			
3 CATS Series U		None	K	T	Redeemed	8/04	K	A	
4 Coca Cola (KO)	A	Dividend	J	T					
5 Dade Cnty GTD		None	K	T					
6 Oracle		None	J	T	sold	12/04	J		
7 Legato Systems (LGTU) (exch. EMC)		None	J	T					
8 Loral Space & Commun. (LOR)		None	J	T					
9 Nationwide	D	Dividend	L	T					
10 Pacific Televis Group & n/a SBC	A	Dividend	J	T					
11 Port Everglades		None	K	T					
12 American Skandia transferred into ING		None	M	T					
13 Smith Barney (money market)	A	Dividend	M	T					
14 Alliance Technology Mutual Fund		None	L	T					
15 Travelers Group (now Citicorp-"C")	B	Dividend	L	T					

16 Van Kampen American Capital Aggressive Growth (VAGAX)	A	Dividend	K	T					
17 Smith Barney Retirement	A	Dividend	K	T					
18 Sunrise Utilities		None	K	T					
19 Applied Materials		None	K	T					
20 Federal National Mortgage Association	A	Dividend	K	T					
28 Lucent Technology		None	J	T					
29 Van Kampen Capital Emerging (ACEGX)		None	J	T					
30 MFS Emerging Growth Fund-Fund (MFEGX)		None	K	T					
31 Altera		None	K	T					
32 Amgen, Inc (Amgo)		None	L	T					
33 Cisco		None	L	T					
34 Intel Corporation	A	Dividend	L	T					
35 Microsoft Corporation	A	Dividend	K	T					
36 Micron Technology		None	J	T					
37 Travel. B (TAPB) was exchanged for St Paul Travelers	A	Dividend	J	T		4/04			
38 Home Depot	A	Dividend	J	T					
39 Texas Instruments	A	Dividend	K	T	Partial Sale	12/04	J		
40 EMC Corp.		None	J	T	Partial Sale	12/04	J		
41 Hewlett Packard	A	Dividend	K	T					
42 Selectron		None	J	T					
43 JPMorgan Chase	A	Dividend	J	T					
44 North Trust (NTRS)	A	Dividend	K	T					
45 Fid. Contra Fd FCNTX	A	Dividend	K	T					
46 Mfs. Research Fd MFRBX	A	Dividend	K	T					
47 Mfs Investors Gr MIGBX		None	K	T					
48 Putnam Intl Gr POVBX	A	Dividend	K	T					
49 Putnam Europ gr PEVBX	A	Dividend	K	T					

50 Putnam Eurp gr POGHX (changed fr. POBGX)		None	K	T					
51 POEBX		None	J	T					
52 PFIZER (PFE exchange fr. Warner Lambert)	A	Dividend	J	T					
53 MFS Strategic Growth B (MSBGX)	A	Dividend	J	T					
54 GE	A	Dividend	K	T					
55 Dell		None	J	T					
56 Corning Inc. (GLW)		None	K	T					
57 JDSU		None	J	T	Sold	12/04	J		
58 Geosia Microchip (GNSS)		None	J	T	Sold	12/04	J		
59 MC TA (spinoff fr. EMC)		None	J	T					
60 IBM	A	Dividend	J	T					
61 Nokia Corp. (NOK)	A	Dividend	K	T					
62 Firstcom Corp. (FCLX) (name changed to ATTL)		None	J	T					
63 Qualcomm, Inc. (QCOM)	A	Dividend	J	T					
64 VTECK		None	J	T					
65 PMC Sierra Inc. (PMCS)		None	J	T					
66 Tyco Intl. (TYC)		None	J	T					
67 Agilent (A) spinoff from Hewlett Packard		None	J	T					
68 Avaya (AV) spinoff fr. Lucent Tech.		None	J	T					
69 ACERE A		None	J	T					
70 ACERE B		None	J	T					
71 Zybernaut		None	K	T	Sold	12/04	K		
71 Re-Parcel 1-Lake Park, FL (1/2 ownership)		None	N	W					
72 Re-Parcel 2-Key Largo, FL (1/4 ownership)		None	K	W					
73 Re-Parcel 3-Cocunut Grove, FL (1/2 ownership)		None	O	W					
74 Re-Parcel 4-Homestead, FL (1/3 ownership)		None	L	W					

75 Re-Parcel 5-Hammstead, FL (1/2 ownership)		None	L	W					
76 Re-Parcel 6 - New York City (1/2 ownership)		None	N	W					

1	Income/Gain Codes: (See Col. B1, 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 Col. C1, 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 Col. C2)	Q=Appraisal U=Book value	R=Cost (real estate only) V=Other	S=Assessment W=Estimated	T=Cash/Market	

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

Date

5/3/05

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. App., § 104.)

FILING INSTRUCTIONS:

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure
Administrative Office of the
United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544