

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

CHAMBERS OF
MICHAEL BOUDIN
CHIEF JUDGE

JOHN JOSEPH MOAKLEY
UNITED STATES COURTHOUSE
1 COURTHOUSE WAY, SUITE 7710
BOSTON, MA 02210
(617) 748 - 4431

June 2, 2006

Committee on Financial Disclosure
Judicial Conference of the United States Courts
One Columbus Circle, N.E.
Washington, D.C. 20544

Re: 2005 Financial Disclosure Report

To the Committee:

Enclosed are the original and three copies of my disclosure statement for Calendar Year 2005--I have approval to file up to and including June 15, 2006.

I continue to use the "S" and "DC" indicators, where applicable, because it helps me in my record keeping.

Sincerely,

A large black rectangular redaction mark covering the signature of the sender.

Enclosures 4

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FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2005

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) BOUDIN, MICHAEL (NMI)	2. Court or Organization U.S. COURT OF APPEALS, 1ST CIR	3. Date of Report 06/02/2006
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. CIRCUIT JUDGE - ACTIVE	5a. Report Type (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 01/01/2005 to 12/31/2005
7. Chambers or Office Address U.S. COURTHOUSE 1 COURTHOUSE WAY, SUITE 7710 BOSTON, MASSACHUSETTS 02210	5b. ☐ Amended Report	
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.)

☐ NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Member of the Council	American Law Institute
2. Trustee or Co-trustee	Trust #1, Trust #2 and Trust #3
3. Editorial Advisor	Daedalus (Journal of the American Academy of Arts and Sciences)
4.	
5.	

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

☐ NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	Vested pension plan account at former law firm, Covington & Burling
2.	
3.	

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III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of 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.		
5.		

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. 2005	Professorship at Harvard Law School
2. 2005	Harvard University Press Book Royalties
3. 2005	Lectures at Arizona State University, Tempe, Arizona, 10/23-10/24--Honoraria: \$1,000
4.	
5.	

IV. REIMBURSEMENTS -- *transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)*☐ NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>
1. Stanford Law School	Law school moot court, Palo Alto, CA; travel and lodging; 04-28/05-05/01/05
2. American Law Institute	Council meeting, New York; travel; 10/18/05-10/21/05
3. American Law Institute	Council meeting, Philadelphia; travel and lodging; 12/08/05-12/09/05
4. Fordham Law School	Law school seminar program, New York; travel; 2/17-05-2/18/05
5. University of Virginia Law School	Law school moot court, Charlottesville, Virginia; travel and lodging; 04/08/05-04/10/05

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V. GIFTS. *(Includes those to spouse and dependent children. See pp. 28-31 of 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. 32-34 of instructions.)*

☐ **NONE** *(No reportable liabilities.)*

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1. Plymouth Mortgage Co. [REDACTED]	Blanket mortg. on [REDACTED] rental property, Wellfleet, MA	M
2. GMAC [REDACTED]	Mortg. on rental prop. #1, Cambridge, MA	M
3. GMAC [REDACTED]	Mortg. on rental prop. #2, Cambridge, MA	N
4.		
5.		

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BOUDIN, MICHAEL (NMI)

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VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 of filing instructions)



NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets) Place "(X)" aft 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. C & B PENSION PLAN (see note 1)	G	Int./Div.	P1	T					
2. - Ranier Small/Mid Cap Equit									
3. - Schwab Stable Value Instl									
4. TIAA-CREF RETIREMENT PLAN (see note 1)	C	Int./Div.	L	T					
5. - TIAA Fund									
6. - CREF Stock									
7. Bank of America account Bos, MA	A	Interest	O	T					
8. BankNorth acc't Wellfleet,MA	A	Interest	J	T					
9. Rental Property, Washington D.C.	E	Rent			Sell	12/21	O	G	Russell & Donna Krapf
10. UBS FINANCIAL SERVICES, INC.									
11. - Dryden Nat. Muni Fund (UBS)	A	Interest Cap. Gain	J	T					
12. - Dul.,MN Pub. Hsg Auth. Bds(09) (UBS)	B	Interest	J	T					
13. - RMA Money Market Portfolio (UBS)	A	Dividend	J	T					
14. - UBS US Allocation Fund C (UBS)	B	Dividend	M	T					
15. - Massachusetts State Bonds (15) (UBS)	B	Interest	K	T	Redemption	7/01	K	A	
16. - Youngstown, OH Pub. Housing Bonds (08) (UBS)	A	Interest	J	T					
17. UBS Bank USA deposit account (UBS)	A	Interest	K	T					

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000 R = Cost (Real Estate Only) V = Other	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000 S = Assessment W = Estimated	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000 T = Cash Market	E = \$15,001 - \$50,000
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Name of Person Reporting

BOUDIN, MICHAEL (NMI)

Date of Report

06/02/2006

VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. MORGAN STANLEY									
19. - Milford, MA Bonds (14) (MS)	C	Interest	L	T					
20. - Mass. State Bonds (06) (MS)	A	Interest	J	T					
21. - Standard & Poor's Dep. Recpts (MS)	C	Dividend	M	T					
22. - Massachusetts State Bonds (15) (MS)	A	Interest	K	T					
23. - Active Assets Tax Free Trust Account (cash equiv.) (MS)	C	Dividend	M	T					
24. - Connecticut State Bonds (08) (MS)	A	Interest	K	T					
25. - Massachusetts State Bonds (23) (MS)	A	Interest			Redemption	6/01	K	A	
26. - Springfield, MA Bonds (12) (MS)	B	Interest	K	T					
27. - MFS Investors Growth ST FD CL B (MS)	A	Dividend	K	T					
28. - Boston, MA Bonds (13) (MS)	A	Interest	J	T					
29. - Massachusetts State Bonds (06) (MS)	B	Interest			Redemption	11/01	K	A	
30. - Massachusetts State Bonds (08) (MS)	A	Interest	J	T					
31. - Massachusetts State Bonds (09) (MS)	B	Interest	K	T					
32. - Massachusetts State Bonds (10) (MS)	B	Interest	K	T					
33. - Massachusetts State Bonds (12) (MS)	B	Interest	K	T					
34. - Boston, MA Bonds (14) (MS)	C	Interest	L	T					

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000 R = Cost (Real Estate Only) V = Other	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000 S = Assessment W = Estimated	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000 T = Cash Market	E = \$15,001 - \$50,000
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Name of Person Reporting

BOUDIN, MICHAEL (NMI)

Date of Report

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VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
35. - Davis New York Venture B (MS)	A	Dividend	M	T					
36. - Massachusetts State Bonds (08) (MS)	A	Interest	J	T					
37. - Massachusetts State Bonds (10) (MS)	B	Interest	K	T					
38. - Lowell, MA Bonds (12) (MS)	A	Interest	J	T					
39. - Massachusetts State Bonds (13) (MS)	A	Interest	J	T					
40. - Lynn, MA Bonds (14) (MS)	A	Interest	K	T					
41. - Massachusetts State Bonds (14) (MS)	A	Interest			Redemption	11/01	J	A	
42. - Massachusetts State Bonds (15) (MS)	B	Interest	K	T					
43. - Massachusetts State Bonds (15) (MS)	B	Interest	K	T					
44. - Worcester, MA Bonds (15) (MS)	A	Interest	K	T					
45. - Virginia Beach, VA Bonds (18) (MS)	C	Interest	L	T					
46. - Virginia Beach, VA Bonds (21) (MS)	B	Interest	L	T					
47. - Massachusetts State Bonds (37) (MS)	D	Interest	M	T					
48. TIAA-CREF RETIREMENT PLAN (see note 2)	E	Int./Div.	O	T					
49. - TIAA Fund									
50. - CREF stock									
51. - CREF Global									

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$550,001 - \$1,000,000 R = Cost (Real Estate Only) V = Other	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000 S = Assessment W = Estimated	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000 T = Cash Market	E = \$15,001 - \$50,000
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VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 of filing instructions)

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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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
52. VANGUARD IRA ACCOUNT (see note 3)	A	Dividend	K	T					
53. - Index 500 Fund									
54. - Windsor Fund									
55. - Windsor II Fund									
56. FIDELITY IRA ACCOUNT (see note 4)	A	Dividend	K	T					
57. - Income Fund									
58. - Growth and Income Fund									
59. - Magellan Fund									
60. T. ROWE PRICE FUNDS (see note 5)									
61. - Health and Science	A	None	J	T					
62. - Science and Technology	A	None	J	T					
63. - Prime Reserve Money Market Fund	A	Interest	J	T					
64. Scudder Cash Investment Trust MMF (see note 6)	A	Dividend	J	T					
65. Rental House, Wellfleet, MA	E	Rent	O	W					
66. [REDACTED] Wellfleet, MA [REDACTED] rent house)	C	Rent	O	W					
67. BankAmerica, Boston, MA	A	Interest	J	T					
68. Kauai, Hawaii, land	B	Rent	N	W					

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2. Value Codes (See Columns C1 and D3)					
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value				

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VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 of filing instructions)

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69. Bank of Hawaii	A	Interest	J	T					
70. General Electric stock	A	Dividend	J	T					
71. Rental Prop. #1, Cambridge, MA	E	Rent	O	W					
72. Rental Prop. #2, Cambridge, MA	D	Rent	O	W					
73. MERRILL LYNCH (see note 7)									
74. - General Electric stock	A	Dividend	J	T					
75. - CMA money fund	A	Dividend	J	T					
76. TRUST #1	B	Dividend	L	T					
77. - RMA Money Market Portfolio (UBS)									
78. - UBS US Allocation Fund Class C					Partial Sale	12/20 5/23	J	D	
79. TRUST #2	D	Dividend	N	T					
80. - RMA Money Market Portfolio (UBS)									
81. - UBS US Allocation Fund Class C									
82. TRUST #3	E	Div./Int.	O	T					
83. - RMA Money Mkt Portfolio (UBS)									
84. - Mamaroneck Town, NY Bond (05) (UBS)					Redemption	10/1	K	A	
85. - Rye, NY Bond (07) (UBS)									

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000 R = Cost (Real Estate Only) V = Other	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000 S = Assessment W = Estimated	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000 T = Cash Market	E = \$15,001 - \$50,000
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VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 of filing instructions)

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						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
86. - Great Neck, NY Bond (08) (UBS)									
87. - New Rochelle, NY Bond (09) (UBS)									

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000 R = Cost (Real Estate Only) V = Other	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000 S = Assessment W = Estimated	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000 T = Cash Market	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)					
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value				

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Date of Report

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

MICHAEL BOUDIN, Report Dated June 6, 2004
ATTACHMENT TO PART VII

Note 1: My Covington & Burling and TIAA-CREF retirement plans involve tax-deferred income which is not fully calculated. I have therefore estimated "income" at about 5% of year-end asset value. In 2005, my Covington & Burling retirement plan switched investment advisors from Vanguard to Schwab and (as of September 2005) converted my three holdings in the Vanguard managed plan reported on my prior disclosure report—Vanguard Prime Money Market Fund, Vanguard Short Term Fund Investr Shares and Brandywine Fund—into the two new holdings listed on this report: Ranier Small/Mid Cap Equit and Schwab Stable Value Instl.

Note 2: In all funds, dividends are reinvested; regular employer contributions are made for new investment in the CREF Stock fund. Income is estimated as 5% of asset value.

Note 3: In all funds, dividends are reinvested; regular monthly employee contributions are made for new investment in the Index 500 fund.

Note 4: In all funds, dividends are reinvested.

Note 5: In all funds, dividends are reinvested.

Note 6: Dividends are reinvested.

Note 7: [REDACTED] General Electric stock, previously reported in my 2004 report, turns out to be held in a Merrill Lynch CMA account in her name; the account has under \$1,000 in a CMA money fund and cash of \$100 or less.

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06/02/2006

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

6/2/06

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