

# FINANCIAL DISCLOSURE REPORT

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 name, Middle initial)<br>Garland, Merrick B                                                                  | 2. Court or Organization<br>US Court of Appeals/DC Circuit                                                                                                                                                                      | 3. Date of Report<br>5/13/2004                          |
| 4. Title (Article III Judges indicate active or senior status;<br>magistrate judges indicate full- or part-time)<br>US Circuit Judge-Active Status | 5. Report Type (check appropriate type)<br><br><input type="radio"/> Nomination,      Date<br><br><input type="radio"/> Initial <input checked="" type="radio"/> Annual <input type="radio"/> Final                             | 6. Reporting Period<br><br>1/1/2003<br>to<br>12/31/2003 |
| 7. Chambers or Office Address<br>U.S. Courthouse<br>333 Constitution Avenue, N.W.<br>Washington, D.C. 20001                                        | 8. On the basis of the information contained in this Report and any<br>modifications pertaining thereto, it is, in my opinion, in compliance<br>with applicable laws and regulations.<br><br>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 filing instructions)

☐ **NONE** - (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Member

Board of Overseers, Harvard University

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

☐ **NONE** - (No reportable agreements.)

DATE

PARTIES AND TERMS

1. 1993

Retirement Funds in retire. plans of firm. law firm, Arnold & Porter (indep. custodians, self-directed, no firm contribs., assets reported in Part VII). [Funds

2.

were rolled over into individual IRA in Aug. 2003]

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**FINANCIAL DISCLOSURE REPORT**

Name of Person Reporting

Garland, Merrick B

Date of Report

5/13/2004

**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 TYPEGROSS INCOME

(yours, not spouse's)

1.

**B. Spouse's Non-Investment Income** - (If you were married during any portion of the reporting year, please complete this section. (dollar amount not required except for honoraria)☐ **NONE** - (No reportable non-investment income.)DATESOURCE AND TYPE

1. 2003

Sidwell Friends School - Teacher

**IV. REIMBURSEMENTS** -- transportation, lodging, food, entertainment.

(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)

☐ **NONE** - (No such reportable reimbursements.)SOURCEDESCRIPTION

1. Administrative Law Section, ABA

Feb. 7-9 - Seattle, WA - Mid-Year Meeting (transp., meals, room)

2. University of Illinois, College of Law

Apr. 18-22 - Champaign, IL - Moot Court (transp., meals, room)

3. Harvard University

Sept. 20-21 - Cambridge, MA - Board of Overseers Meeting (transp., meals, room)

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**V. GIFTS.** (Includes those to spouse and dependent children. See pp. 28-31 of instructions.)☒ **NONE** - (No such reportable gifts.)SOURCEDESCRIPTIONVALUE1.  

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**VI. LIABILITIES.** (Includes those of spouse and dependent children. See pp. 32-34 of instructions.)☒ **NONE** - (No reportable liabilities.)CREDITORDESCRIPTIONVALUE CODE1.  

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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.)

| A.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset exempt<br>from prior disclosure | B.<br>Income during<br>reporting period |                                      | C.<br>Gross value at end of<br>reporting period |                                    | D.<br>Transactions during reporting period         |                                |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------|-------------------------------------------------|------------------------------------|----------------------------------------------------|--------------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)                                     | (2)                                  | (1)                                             | (2)                                | (1)                                                | If not exempt from disclosure  |                                 |                                |                                                                   |
|                                                                                                                             | Amount<br>Code 1<br>(A-H)               | Type (e.g.<br>div. rent. or<br>int.) | Value<br>Code 2<br>(J-P)                        | Value<br>Method<br>Code 3<br>(Q-W) | Type (e.g.<br>buy, sell,<br>merger,<br>redemption) | (2)<br>Date:<br>Month -<br>Day | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| <input type="checkbox"/> NONE (No reportable income, assets, or transactions)                                               |                                         |                                      |                                                 |                                    |                                                    |                                |                                 |                                |                                                                   |
| 1. Sun Trust Bank (bank accounts)                                                                                           | C                                       | Interest                             | N                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 2. Sun Trust Bank (bank accounts)                                                                                           | A                                       | Interest                             | K                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 3. Justice Fed. Credit Union (bank accounts)                                                                                | C                                       | Interest                             | M                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 4. U.S. Savings Bonds                                                                                                       |                                         | None                                 | K                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 5. IRA #1                                                                                                                   | A                                       | Dividend                             | K                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 6. -U.S. Treasury Certificates of Accrual                                                                                   |                                         |                                      |                                                 |                                    | Redempt.                                           | 11/17                          | K                               |                                |                                                                   |
| 7. -Edwards Jones Co. Money Mkt.                                                                                            |                                         |                                      |                                                 |                                    | Buy                                                | 11/17                          | K                               |                                |                                                                   |
| 8. Brokerage Account #1                                                                                                     |                                         |                                      |                                                 |                                    |                                                    |                                |                                 |                                |                                                                   |
| 9. -General Mills Inc. Common                                                                                               | B                                       | Dividend                             | L                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 10. -Wyeth Common                                                                                                           | A                                       | Dividend                             | K                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 11. -BP PLC Common                                                                                                          | B                                       | Dividend                             |                                                 |                                    | Sold                                               | 8/11                           | L                               | F                              |                                                                   |
| 12. -Bristol-Myers Squibb Co. Common                                                                                        | A                                       | Dividend                             | K                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 13. -Zimmer Holdings Inc. Common                                                                                            |                                         | None                                 | J                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 14. -Exxon Mobil Corp. Common                                                                                               | B                                       | Dividend                             |                                                 |                                    | Sold                                               | 8/11                           | L                               | F                              |                                                                   |
| 15. -General Electric Co. Common                                                                                            | B                                       | Dividend                             | L                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 16. -Georgia Pacific Corp. Common                                                                                           | A                                       | Dividend                             | K                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 17. -Plum Creek Common                                                                                                      | A                                       | Dividend                             | K                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 18. -Gillette Co. Common                                                                                                    | A                                       | Dividend                             | 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 = \$250,000-\$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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset exempt<br>from prior disclosure | B.<br>Income during<br>reporting period |                                      | C.<br>Gross value at end of<br>reporting period |                                    | D.<br>Transactions during reporting period         |                                |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------|-------------------------------------------------|------------------------------------|----------------------------------------------------|--------------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)                                     | (2)                                  | (1)                                             | (2)                                | (1)                                                | If not exempt from disclosure  |                                 |                                |                                                                   |
|                                                                                                                             | Amount<br>Code 1<br>(A-H)               | Type (e.g.<br>div. rent. or<br>int.) | Value<br>Code 2<br>(J-P)                        | Value<br>Method<br>Code 3<br>(Q-W) | Type (e.g.<br>buy, sell,<br>merger,<br>redemption) | (2)<br>Date:<br>Month -<br>Day | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 19. -Procter & Gamble Co. Common                                                                                            | B                                       | Dividend                             | L                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 20. -J.M. Smucker Co. Common                                                                                                | A                                       | Dividend                             | J                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 21. -Royal Dutch Petroleum Co. Common                                                                                       | A                                       | Dividend                             |                                                 |                                    | Part. Sale                                         | 8/11                           | J                               | B                              |                                                                   |
| 22.                                                                                                                         |                                         |                                      |                                                 |                                    | Donated                                            | 8/12                           | J                               |                                |                                                                   |
| 23.                                                                                                                         |                                         |                                      |                                                 |                                    | Donated                                            | 8/14                           | J                               |                                |                                                                   |
| 24. -The Reserve Fund (money market)                                                                                        | A                                       | Dividend                             | N                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 25. -Citigroup Inc. Common                                                                                                  | B                                       | Dividend                             | L                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 26. -Credit Suisse Cap. Apprec. Fund                                                                                        |                                         | None                                 | M                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 27. -Nuveen Maryland Prem. Inc. Municipal Fund                                                                              | D                                       | Dividend                             | L                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 28. -US Treasury Notes due 2005                                                                                             | D                                       | Interest                             | M                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 29. -US Treasury Notes due 2006                                                                                             | D                                       | Interest                             | M                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 30. -US Treasury Notes due 2003                                                                                             | D                                       | Interest                             |                                                 |                                    | Redempt.                                           | 1/31                           | M                               |                                |                                                                   |
| 31. -US Treasury Notes due 2007                                                                                             | C                                       | Interest                             | M                                               | T                                  | Buy                                                | 8/21                           | M                               |                                |                                                                   |
| 32. Brokerage Account #2                                                                                                    |                                         |                                      |                                                 |                                    |                                                    |                                |                                 |                                |                                                                   |
| 33. -Fidelity Municipal Money Market Trust                                                                                  | A                                       | Dividend                             | M                                               | T                                  | Buy                                                | 10/13                          | K                               |                                |                                                                   |
| 34. -Fidelity Equity Income II                                                                                              | C                                       | Dividend                             | N                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 35. -Fidelity Spartan 500 Index Fund                                                                                        | B                                       | Dividend                             | M                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 36. -Fidelity Cash Reserves                                                                                                 | A                                       | Interest                             |                                                 |                                    | Buy                                                | 8/20                           | K                               |                                |                                                                   |

|                         |                                |                             |                               |                               |                       |
|-------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|-----------------------|
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| (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    |                       |
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|                         | 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               |                       |
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|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------|-------------------------------------------------|-------------------------------------------|-----------------------------------------------------------|--------------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.<br>div. rent. or<br>int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.<br>buy, sell,<br>merger,<br>redemption) | If not exempt from disclosure  |                                 |                                |                                                                   |
|                                                                                                                             |                                         |                                             |                                                 |                                           |                                                           | (2)<br>Date:<br>Month -<br>Day | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 37.                                                                                                                         |                                         |                                             |                                                 |                                           | Sold                                                      | 10/13                          | K                               |                                |                                                                   |
| 38. Fidelity Contrafund                                                                                                     | A                                       | Dividend                                    | N                                               | T                                         |                                                           |                                |                                 |                                |                                                                   |
| 39. Retirement Account #1                                                                                                   | B                                       | Dividend                                    |                                                 |                                           | Distrib.                                                  | 8/14                           | M                               |                                |                                                                   |
| 40. -Vanguard Institutional Index                                                                                           |                                         |                                             |                                                 |                                           |                                                           |                                |                                 |                                |                                                                   |
| 41. Retirement Account #2 (401(k))                                                                                          | A                                       | Dividend                                    |                                                 |                                           | Distrib.                                                  | 8/15                           | L                               |                                |                                                                   |
| 42. -Fidelity Spartan U.S. Equity Index Fund                                                                                |                                         |                                             |                                                 |                                           |                                                           |                                |                                 |                                |                                                                   |
| 43. IRA #2                                                                                                                  | A                                       | Dividend                                    | J                                               | T                                         |                                                           |                                |                                 |                                |                                                                   |
| 44. -Edward Jones Co. Money Market                                                                                          |                                         |                                             |                                                 |                                           |                                                           |                                |                                 |                                |                                                                   |
| 45. -Prudential Jennison Growth Fund                                                                                        |                                         |                                             |                                                 |                                           |                                                           |                                |                                 |                                |                                                                   |
| 46. Retirement Account #3                                                                                                   | A                                       | Dividend                                    | M                                               | T                                         |                                                           |                                |                                 |                                |                                                                   |
| 47. -Fidelity Magellan Fund                                                                                                 |                                         |                                             |                                                 |                                           |                                                           |                                |                                 |                                |                                                                   |
| 48. Trust #1 (X)                                                                                                            | D                                       | Dividend                                    | N                                               | T                                         |                                                           |                                |                                 |                                |                                                                   |
| 49. -U.S. Treasury Bonds                                                                                                    |                                         |                                             |                                                 |                                           | Buy                                                       | 1/9                            | K                               |                                |                                                                   |
| 50. -U.S. Treasury Bonds                                                                                                    |                                         |                                             |                                                 |                                           | Sell                                                      | 4/30                           | K                               |                                |                                                                   |
| 51. -Gabelli Growth Fund                                                                                                    |                                         |                                             |                                                 |                                           |                                                           |                                |                                 |                                |                                                                   |
| 52. -The Reserve Fund (money market)                                                                                        |                                         |                                             |                                                 |                                           |                                                           |                                |                                 |                                |                                                                   |
| 53. Trust #2 (X)                                                                                                            | D                                       | Dividend                                    | N                                               | T                                         |                                                           |                                |                                 |                                |                                                                   |
| 54. -U.S. Treasury Bonds                                                                                                    |                                         |                                             |                                                 |                                           | Buy                                                       | 1/9                            | K                               |                                |                                                                   |

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|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------|-------------------------------------------------|------------------------------------|----------------------------------------------------|--------------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)                                     | (2)                                  | (1)                                             | (2)                                | (1)                                                | If not exempt from disclosure  |                                 |                                |                                                                   |
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| 55. -U.S. Treasury Bonds                                                                                                    |                                         |                                      |                                                 |                                    | Sell                                               | 4/30                           | K                               |                                |                                                                   |
| 56. -Gabelli Growth Fund                                                                                                    |                                         |                                      |                                                 |                                    |                                                    |                                |                                 |                                |                                                                   |
| 57. -The Reserve Fund (money market)                                                                                        |                                         |                                      |                                                 |                                    |                                                    |                                |                                 |                                |                                                                   |
| 58. Rollover IRA                                                                                                            | B                                       | Dividend                             | N                                               | T                                  |                                                    |                                |                                 |                                |                                                                   |
| 59. -Fidelity Cash Reserves                                                                                                 |                                         |                                      |                                                 |                                    | Buy                                                | 8/20                           | M                               |                                |                                                                   |
| 60.                                                                                                                         |                                         |                                      |                                                 |                                    | Sold                                               | 9/18                           | M                               |                                |                                                                   |
| 61.                                                                                                                         |                                         |                                      |                                                 |                                    | Sold                                               | 10/24                          | K                               |                                |                                                                   |
| 62. -Spartan US Equity Index                                                                                                |                                         |                                      |                                                 |                                    | Buy                                                | 8/15                           | L                               |                                |                                                                   |
| 63.                                                                                                                         |                                         |                                      |                                                 |                                    | Buy                                                | 9/18                           | M                               |                                |                                                                   |
| 64.                                                                                                                         |                                         |                                      |                                                 |                                    | Buy                                                | 10/24                          | K                               |                                |                                                                   |

|                         |                                |                             |                               |                               |                       |
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Gariand, Merrick B

Date of Report

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## VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

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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. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature \_\_\_\_\_

Date \_\_\_\_\_

5/13/04

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