

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2009

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) Caputo, A. Richard	2. Court or Organization U.S. Dist. Ct. M.D. of PA	3. Date of Report 04/28/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge - Senior	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2009 to 12/31/2009
7. Chambers or Office Address 197 South Main Street Wilkes-Barre, PA 18701	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 filing instructions.)

☐ NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Co-Trustee	Trust
2. Co-Executor	Estate # 1
3.	
4.	
5.	

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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-I)	(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-I)	(5) Identity of buyer/seller (if private transaction)
1. Trust		Int./Div.	N	T					
2. - Bard C.R. Incorporated - Common Stk									
3. - Bank Whitman Colfax, WA, 3.00% Cert of Dep, due 03/12/12					Buy	02/26/09	L		
4. - Carnival Corp Paired CTF common stock									
5. - Chevron Corp. - Common Stk									
6. - Comerica Bank, 2.9% Cert of Deposit, due 4/8/09					Redeemed	04/08/09	K		
7. - ConocoPhillips - Common Stk									
8. - Dow Chemical Co. - Common Stk									
9. - Johnson & Johnson - Common Stk									
10. - LPL Financial Insured Cash Account									
11. - Microsoft Corp. - Common Stk									
12. - Veolia Enviroment Spon ADR - Common Stock									
13. IRA #1	D	Int./Div.	M	T					
14. - Am. Exp. Centurion Bank, 1.75% Cert of Dep, due 09/16/11					Buy	09/10/09	L		
15. - Bank Whitman, 3.00% Certificate of Deposit, due 03/12/12					Buy	02/26/09	L		
16. - Chevron Corp. - Common Stk									
17. - First Choice Cnty. Bank, Cert of Deposit, due 2/13/09					Redeemed	02/13/09	L		

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	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	P4 = More than \$50,000,000
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

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VII. INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

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

A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. - Lehman Bros. Bank, 3.7% Cert of Deposit, due 8/13/09					Redeemed	08/14/09	L		
19. - Leucadia National Corp. - Common Stk									
20. - LPL Financial Insured Cash Account									
21. - McDonalds Corp. - Common Stk					Buy	09/10/09	J		
22. - PPL Corp. - Common Stk					Buy	09/10/09	J		
23. - Verizon Communications, Inc. - Common Stk					Buy	09/10/09	J		
24. - Whole Foods Market Inc. - Common Stk									
25. Branch Banking & Trust Co., 3.00% Cert of Dep, due 03/12/12	A	Interest	K	T	Buy	03/02/09	K		
26. Chevy Chase Bank, 4.2% Cert of Deposit, due 10/15/10	B	Interest	L	T					
27. CIT Bank, Certificate of Deposit	B	Interest			Redeemed	02/27/09	K		
28. Goldman Sachs Bank USA, 3.05% Cert of Dep, due 02/13/12	A	Interest	K	T	Buy	02/04/09	K		
29. Federated Pa Muni Cash Trust Money Market Fund	A	Interest			Closed	02/24/09	J		
30. LPL Financial Insured Cash Account	A	Interest	J	T	Open	02/24/09	J		
31. Wachovia Bank 3.6% insured cash account, due 4/16/10	C	Interest	L	T					
32. Luzerne Bank Accounts		None	K	T					
33. Wachovia Bank Account - Insured cash account	A	Interest	K	T					
34. Wachovia Bank Money Market Account	A	Interest	K	T	Open	01/14/09	L		

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 = \$250,000,001 - \$50,000,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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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. IRA #2		None	J	T					
36. - Whole Foods Market Inc. - Common Stk									
37. Direct TV Group Inc. - Common Stk		None	J	T					
38. NEWS Corp. Cl A - Common Stk	A	Dividend	J	T					
39. Am. Express Centurion Bank, 1.75% Cert of Dep, due 09/16/11		None	L	T	Buy	09/10/09	L		
40. Advanta Bank Corp., Draper UT Certificate of Deposit	C	Interest			Redeemed	05/04/09	L		
41. Capital One, 3.8% Cert of Deposit, due 06/04/10	B	Interest	L	T					
42. Citi Bank, 3.8% Cert of Deposit, due 05/14/12	A	Interest	L	T	Buy	05/05/09	L		
43. Discover Bank Greenwood, DE Certificate of Deposit	D	Interest	M	T					
44. Federated PA Muni Cash Trust Money Mkt Fund	A	Interest			Closed	02/24/09	J		
45. First Guaranty Bank & Tr. Jacksonville, FL Cert. of Deposit	A	Interest			Redeemed	04/17/09	L		
46. Goldman Sachs Bank USA, 3.05% Cert of Deposit, due 02/13/12	B	Interest	L	T	Buy	02/04/09	L		
47. Keybank NA, 2.40% Certificate of Deposit, due 11/14/11	B	Interest	M	T	Buy	05/06/09	M		
48. Lehman Bros. Bank FSB Wilmington, DE - Cert of Deposit	C	Interest			Redeemed	08/31/09	L		
49. LPL Financial Insured Cash Account	A	Interest	J	T	Open	02/24/09	J		
50. MBank, 1.60% Certificate of Deposit, due 01/28/11	A	Interest	M	T	Buy	07/22/09	M		
51. Mutual Bank, Harvey, IL - Certificate of Deposit	B	Interest			Redeemed	04/27/09	L		

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52. Northstar Bank, Bad Axe, MI - Certificate of Deposit	B	Interest	K	T					
53. Sallie Mae Bank, 2.35% Certificate of Deposit, due 05/06/11	A	Interest	L	T	Buy	04/28/09	L		
54. Wachovia Bank 3.6% Cert of Deposit due 4/16/10	C	Interest	L	T					
55. Westmont Hilltop PA Municipal Bond	B	Interest			Redeemed	07/15/09	L		
56. 10 acres vacant land - Orange County, Florida		None	M	W					
57. Estate #1- 16 acres vacant land, Slocum Twp Luzerne Cty - PA		None	K	W					

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

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

Part VII - Line 1 - ☐ Trust - Information reported, as in prior years, represents 100% of the trust assets. However, the reporting person's ☐ is one of three beneficiaries who share equally in the trust.

Part VII - Line 10 - LPL Financial Insured Cash Account - Reported in prior year as "LPL Financial (fka Sovereign Bank) - Insured cash account." Bank account(s) maintained by LPL Financial which are made up of deposits at various FDIC banks, cash is transferred to various banks throughout the year at the discretion of LPL Financial. LPL Financial does not provide information to the filer with respect to the dates that the interbank transfers occur. Therefore, the filer is precluded from indicating the open and close dates of the underlying bank accounts where the cash has been invested. The filer cannot direct, influence or in any other manner control the transfer of the cash from one financial institution to another.

Part VII - Line 20 - LPL Financial Insured Cash Account - Reported in prior year as "LPL Financial (fka Discover Bank) - Insured cash account." Bank account(s) maintained by LPL Financial which are made up of deposits at various FDIC banks, cash is transferred to various banks throughout the year at the discretion of LPL Financial. LPL Financial does not provide information to the filer with respect to the dates that the interbank transfers occur. Therefore the filer is precluded from indicating the open and close dates of the underlying bank accounts where the cash has been invested. The filer cannot direct, influence or in any other manner control the transfer of the cash from one financial institution to another.

Part VII - Line 30 - LPL Financial Insured Cash Account - Bank account(s) maintained by LPL Financial which are made up of deposits at various FDIC banks, cash is transferred to various banks throughout the year at the discretion of LPL Financial. LPL Financial does not provide information to the filer with respect to the dates that the interbank transfers occur. Therefore the filer is precluded from indicating the open and close dates of the underlying bank accounts where the cash has been invested. The filer cannot direct, influence or in any other manner control the transfer of the cash from one financial institution to another.

Part VII - Line 49 - LPL Financial Insured Cash Account - Bank account(s) maintained by LPL Financial which are made up of deposits at various FDIC banks, cash is transferred to various banks throughout the year at the discretion of LPL Financial. LPL Financial does not provide information to the filer with respect to the dates that the interbank transfers occur. Therefore the filer is precluded from indicating the open and close dates of the underlying bank accounts where the cash has been invested. The filer cannot direct, influence or in any other manner control the transfer of the cash from one financial institution to another.

Part VII - Line 56 - Orange County, Florida property - Information reported, as in prior years, represents 100% of the value. However, the reporting person's ☐ is one of three individuals who own the property in equal shares.

Part VII - Line 57 - This is property in Estate # 1.

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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 _____

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

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