

FINANCIAL DISCLOSURE REPORT

FOR CALENDAR YEAR 2003

AO-10 (WP)
Rev. 1/2004

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) Gardner, James Knoll		2. Court or Organization Eastern District of PA		3. Date of Report 5/15/2004 Amended 6/21/2004	
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge - Active		5. Report Type (check appropriate type) ____ Nomination, Date _____ ____ Initial ☒ Annual ____ Final		6. Reporting Period 1/1/2003 to 12/31/2003	
7. Chambers or Office Address Edward N. Cahn U.S. Courthouse 504 W. Hamilton Street, #4701 Allentown, PA 18101		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.)

SELF INITIATED
AMENDMENT

POSITION	NAME OF ORGANIZATION/ENTITY
☐ NONE (No reportable positions.)	
1	
2	
3	

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

DATE	PARTIES AND TERMS
☐ NONE (No reportable agreements.)	
1	
2	

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

DATE	SOURCE AND TYPE	GROSS INCOME
A. Filer's Non-Investment Income		
☐ NONE (No reportable non-investment income.)		
1		\$
2		\$
3		\$

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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.)
1
2

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Name of Person Reporting

Gardner, James Knoll

Date of Report

5/15/2004

Amended 6/21/2004

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

<u>SOURCE</u>	<u>DESCRIPTION</u>
☐ NONE (No such reportable reimbursements.)	
1 The New York Intellectual Property Law Association (NYIPLA)	March 28-29, New York, NY--81st Annual Dinner in Honor of the Federal Judiciary
2	(Transportation, Food, and Hotel)
3	
4	
5	
6	
7	

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

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
☐ NONE (No such reportable gifts.)		
1		\$
2		\$
3		\$
4		\$

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

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE*</u>
☐ NONE (No reportable liabilities.)		
1		
2		
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

FINANCIAL DISCLOSURE REPORT

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

Section IV of the Financial Disclosure Report for Calendar Year 2003 is amended to change the original answer "None" to the information reported in Section IV, above. In all other respects the original Financial Disclosure Report for Calendar Year 2003, filed May 15, 2004, remains unchanged.

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 June 21, 2004

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

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) Gardner, James Knoll	2. Court or Organization Eastern District of PA	3. Date of Report 5/15/2004
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge - Active	5. Report Type (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 1/1/2003 to 12/31/2003
7. Chambers or Office Address Edward N. Cahn U.S. Courthouse 504 W. Hamilton Street, #4701 Allentown, PA 18101	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. Officer, Director	Allentown Symphony Association
2. Director	Boys and Girls Club of Allentown, Inc.
3. Director	Police Athletic League, Inc.
4. Custodian	Brokerage Account #2: UPIA/UGMA
5. Custodian	Brokerage Account #3: UPIA/UGMA
6. General Partner (passive investment)	1/6 share of Rental Property #1

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. 2002	State Employees Pension Fund; retirement pension for former judicial position, includes medical insurance and long-term care benefits, no control

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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>GROSS INCOME</u> (yours, not spouse's)
1.		
2.		

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.)

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2003	self-employed realtor
2. 2003	self-employed piano 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.)

<u>SOURCE</u>	<u>DESCRIPTION</u>
1.	

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

Gardner, James Knoll

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

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.		

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. World Savings and Loan Association	1/6 share Mortgage on Rental Property #1, Torrence, California (Pt. VII, line 1)	N
2. Marriott Rewards Visa	Credit Card	K

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Name of Person Reporting
Gardner, James Knoll

Date of Report
5/15/2004

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

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)
☐ NONE (No reportable income, assets, or transactions)									
1. Rental Property #1, Torrence, California (1997 \$533,333)	G	Rent	O	Q					
2. Time Share #1, Williamsburg, Virginia (1999 \$18,700)	C	Rent	K	R					
3. Sovereign Bank Accounts	A	Interest	K	T					
4. IRA #1 (Evergreen Foundation Fund Class B)	A	Dividend	J	T					
5. Brokerage Account #1:									
6. CITIBANK NA Bank Deposit Program	A	Interest	K	T					
7. Disney - Common Stock - (X)	A	Dividend	J	T					
8. Aim Basic Value Fund Class A - Mutual Fund		None	J	T					
9. SB Small Cap Value Fund Class B - Mutual Fund	A	Dividend	J	T					
10. SB Fundamental Value Fund Class A - Mutual Fund		None	J	T					
11. SB Municipal High Income Fund Class L - Mutual Fund	A	Dividend	J	T	Sell	8/19	J		N/A
12.		None	J	T	Sell	8/20	J		N/A
13. SB Convertible Fund Class L - Mutual Fund	A	Dividend	J	T	Buy	8/20	J		N/A
14. Royce Value Trust Inc. Mutual Fund	A	Dividend	J	T					
15. Philadelphia Water and Sewer Revenue Bond - O Coupon		None			Sell	10/1	J	A	N/A
16. Altoona City Authority Water Revenue Bond	A	Interest	K	T					
17. General Motors Acceptance Corp - SmartNotes - Bond	A	Interest	J	T					
18. Ford Motor Company - Bond	A	Interest	J	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. 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)
19. SB Appreciation Fund - Class A - Mutual Fund	A	Dividend	J	T					
20. SB Capital Preservation Fund II - Class B - Mutual Fund	A	Dividend	J	T	Buy	8/22	J		N/A
21. Calamos Conv. & High Income Fund - Bond	A	Dividend	J	T	Buy	8/19	J		N/A
22. Brokerage Account #2 (Custodial Account #1) See Part VIII									
23. Brokerage Account #3 (Custodial Account #2):									
24. CITIBANK NA - Bank Deposit Program	A	Interest	J	T					
25. Progress Energy Inc. - Common Stock	A	Dividend	J	T					
26. General Motors Acceptance Corp SmartNotes - Bond due 3/15/04	A	Interest	J	T					
27. General Motors Acceptance Corp SmartNotes - Bond due 3/15/05	A	Interest	J	T					
28. SB Aggressive Growth Fund Class B - Mutual Fund		None	J	T					
29. SB Small Cap Value Fund Class A - Mutual Fund	A	Dividend	J	T					
30. SB Fundamental Value Fund Class A - Mutual Fund		None	J	T					
31. SB Premium Total Return Fund Class A-Mut. Fund See Part VII	A	Dividend	J	T					
32. SB Convertible Fund Class A - Mutual Fund	A	Dividend	J	T					
33. SB Mid Cap Core Fund Class A - Mutual Fund		None	J	T					
34. Royce Value Trust Inc. - Mutual Fund	A	Dividend	K	T					
35. Household Finance Internotes - Bond	A	Interest	J	T					
36. SB Capital and Income Fund Class A-Mut. Fund See Part VII	A	Dividend	J	T					

1. Income/Gain Codes:	A = \$1,000 or less (See Columns B1 and D4)	B = \$1,001-\$2,500	C = \$2,501-\$5,000	D = \$5,001-\$15,000	E = \$15,001-\$50,000
2. Value Codes:	F = \$50,001-\$100,000 (See Columns C1 and D3)	G = \$100,001-\$1,000,000	H1 = \$1,000,001-\$5,000,000	H2 = More than \$5,000,000	
3. Value Method Codes:	J = \$15,000 or less (See Column C2)	K = \$15,001-\$50,000	L = \$50,001-\$100,000	M = \$100,001-\$250,000	
	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	
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	(1) Amount Code 1 (A-H)	(2) Type (e.g. div. rent. or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g. buy, sell, 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)
37. Western Bank Puerto Rico - Certificate of Deposit	A	Interest	J	T	Buy	8/18	J		N/A
38. SB S&P 500 Index Shares - Mutual Fund	A	Dividend	J	T	Buy	8/19	J		N/A
39. Brokerage Account #4									
40. GE - Common Stock	A	Dividend	J	T					
41. Johnson & Johnson - Common Stock	A	Dividend	J	T					
42. SB Appreciation Fund Class B - Mutual Fund		None	J	T					
43. SB Capital Preservation Fund II Class B - Mutual Fund	A	Dividend	J	T					
44. End of Brokerage Account #4									
45. Tme Share #2, Williamsburg, Virginia (2002 \$19,900)	C	Rent	K	R					
46. IRA #2 (Legg Mason)									
47. American Funds US Gov't Gtd. Secs. Fund Class C- Mutual Fund	A	Dividend	K	T	Buy	3/10	K		N/A
48. Legg Mason Special Investment Trust - Equity Fund		None	J	T	Buy	3/10	J		N/A
49. Royce Total Return Fund Consultant - Equity Fund		None	J	T	Buy	3/10	J		N/A
50. Van Kampen Equity & Income Class C - Mutual Fund	A	Dividend	J	T	Buy	3/10	J		N/A
51. Florida Community Bank - Certificate of Deposit	A	Interest	J	T	Buy	3/14	J		N/A
52. Putnam Mid Cap Value Fund Class C - Mutual Fund		None	J	T	Buy	3/25	J		N/A
53. Gov't Nat'l Mtg. Assn. Class WA - Bond	A	Interest	J	T	Buy	3/31	J		N/A
54. American Funds: Growth Fund America, Inc. Class C-Mut. Fund		None	J	T	Buy	4/2	J		N/A

1. Income/Gain Codes:	A = \$1,000 or less (See Columns B1 and D4)	B = \$1,001-\$2,500 F = \$50,001-\$100,000	C = \$2,501-\$5,000 G = \$100,001-\$1,000,000	D = \$5,001-\$15,000 H1 = \$1,000,001-\$5,000,000	E = \$15,001-\$50,000 H2 = More than \$5,000,000
2. Value Codes:	J = \$15,000 or less (See Columns C1 and D3)	K = \$15,001-\$50,000 N = \$250,000-\$500,000	L = \$50,001-\$100,000 P1 = \$1,000,001-\$5,000,000	M = \$100,001-\$250,000 P2 = \$5,000,001-\$25,000,000	P3 = \$25,000,001-\$50,000,000 P4 = More than \$50,000,000
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Name of Person Reporting

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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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	(1)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	Amount Code 1 (A-H)	Type (e.g. div. rent. or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g. buy, sell, merger, redemption)	(2) Date: Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A- H)	(5) Identity of buyer/seller (if private transaction)
55. Legg Mason Value Trust - Equity Fund		None	J	T	Buy	4/14	J		N/A
56. Gov't Nat'l Mtg. Assn. Class WB - Bond	A	Interest			Buy	4/30	K		N/A
57.					Part Redeem	10/20	J		N/A
58.					Part Redeem	11/20	J		N/A
59.					Final Redeem	12/20	J		N/A

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
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FINANCIAL DISCLOSURE REPORT

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

1. Re Part VII, Line 22: Brokerage Account #2 (Custodial Account #1) does not qualify for reporting this period because the account owner is over age 21 and is not a dependent of the reporting person within the meaning of the Internal Revenue Code of 1986 (26 U.S.C. §152), and therefore is not a dependent as defined in section 102(e)(2) of the Ethics in Government Act of 1978, as amended, 5 U.S.C. §102(e)(2). Moreover, the account does not qualify for reporting this period because its sole asset (City Bank, NA, Bank Deposit Program) did not have a fair market value in excess of \$1,000 at the end of the current year (December 31, 2003) and because income in excess of \$200 from the asset was not received during the current reporting period.
2. Re Part VII, line 31: On March 31, 2003 Smith Barney Premium Total Return Fund Class A mutual fund changed its name to Smith Barney Capital and Income Fund Class A (See Part VII, line 36).
3. Re Part VII, line 36: On March 31, 2003 the former Smith Barney Premium Total Return Fund Class A mutual fund (See Part VII, line 31) changed its name to Smith Barney Capital and Income Fund Class A mutual fund.

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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 May 15, 2004

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