

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2004

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) Holwell, Richard J	2. Court or Organization USDC/SDNY	3. Date of Report 5/16/2005
4. Title (Article III Judges indicate active or senior status; state judges indicate full- or part-time) U.S. District Judge - Active	5. ReportType (check appropriate type) ☐ Nomination ☒ Date 1/1/2003 ☒ Initial ☒ Annual ☐ Final	6. Reporting Period 1/1/2004 to 12/31/2004
7. Chambers or Office Address 500 Pearl Street Chambers 1950 New York, New York 10007-1312	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.

POSITION

NAME OF ORGANIZATION/ENTITY

1. Partner

Van Duyn Associates (SEE ATTACHMENT 1)

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

☐ NONE - (No reportable agreements.)

DATE

PARTIES AND TERMS

1.

PLEASE SEE ATTACHMENT II

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 FINANCIAL
 DISCLOSURE OFFICE

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

Holwell, Richard J

Date of Report

5/16/2005

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. 2004

White & Case LLP (post-retirement payments fixed at time of retirement on November 1, 2003).

\$970,605

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. 2004

Self-employed architect

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.

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

☒ NONE - (No such reportable gifts.)

SOURCE

DESCRIPTION

VALUE

1.

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-34 of instructions.)

☒ NONE - (No reportable liabilities.)

CREDITOR

DESCRIPTION

VALUE CODE

1.

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VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-52 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. SEE ATTACHMENT VII									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									
18.									

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 B4)	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 C3)	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 = 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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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

SEE ATTACHMENTS VII-A, B & C

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

Holwell, Richard J

Date of Report

5/18/2005

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

5/18/05

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

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

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

Richard J. Howell

**FORM A0-10
ATTACHMENT I**

Duyn Van Duyn Associates is a general partnership formed under New York law pursuant to a restated and amended agreement dated December 21, 1979. I jointly own with my spouse a 50% interest in the partnership which owns the building in which we reside.

FORM A-10
ATTACHMENT H

1. White & Case Savings and Investment Plan ("SIP"). White & Case is my former law firm. The White & Case SIP was originally established in 1983. It is a qualified 401(K) plan. Subject to certain qualifications, all employees can participate in the plan and may remain in the plan after retirement. Participants are able to select their investments from among a limited list of mutual funds only.
2. White & Case Retirement Income Plan ("RIP"). White Case is my former law firm. The White & Case RIP is a defined benefit pension originally adopted in 1985 and is limited to certain partners and employees of the Firm. The RIP provides upon retirement an annual benefit which is a percentage of the total compensation earned by a participant during membership in the plan. The contributions to RIP are actuarially determined and are paid by the Firm to a trust fund. I am fully vested in the plan. Participants have no control over the trust fund's investment.
3. White & Case Partnership Agreement. White & Case is my former law firm. The amended and restated partnership agreement dated August 1, 2000 governs the operation of the Firm. The equity partners of the Firm are parties to the agreement. Upon ceasing to be an equity partner, such partner's capital account is fixed and distributed in monthly payments over a term of six years.

Form A -10
ATTACHMENT VII. - INVESTMENTS AND TRUSTS

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)	If not exempt from disclosure			
					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)
1. Van Duyn Assoc., N.Y., N.Y.	D	Rent	P1	W					
2. JP Morgan/Chasce	D	Interest	M	T					
3. AT&T	None				Sold in 3; See Attach. VIII-A				
4. Bell South	A	Dividend	A	T					
5. Lucent	None				Sold in 2003; See Attach. VIII-A				
6. Brokerage Account #1									
7. - Fidelity S&P Tot Mkt	None				Sold in 2 3; See Attach. VIII-A				
8. - Fidelity S&P 500	B	Dividend	M	T					
9. - Fidelity Contrafund	A	Dividend	M	T					
10. - Fidelity Lo Pr Stk	C	Dividend	N	T					
11. - Fidelity Div. Growth	B	Dividend	L	T					
12. - Brazas Micro Cap	None				Buy	3/31	L		
13. - Matrix Advisors Value	A	Dividend	L	T	Buy	4/6	L		
14. - PJMC Comm. Real Estate	D	Dividend	M	T	Buy	2/27	M		
15. - First Eagle Overseas A	B	Dividend	M	T	Buy	4/6	L		
16. - Vanguard Intl Tm T/E (X)	D	Dividend	N	T	Buy Bought in 2003; See Attach. VIII-A Part Sale	11/19 2/27	L M		
17. - Vanguard Intl Tm T/E	C	Dividend	M	T	Buy	11/19	M		
18. - Schwab Money Mkt Fund	A	Interest	A	T	Deposit	3/22	N		
					Part With- d w l	3/31	L		
					"	4/6	L		
					"	4/6	L		
					"	8/17	J		
					"	8/17	K		
					"	8/30	J		

Richard J. Holwell

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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)	(2) Date: Month- Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
42. - TCW Galileo Sel	See Attachment VIII-B		N	T					
43. - Alliance Prem. Gr.	None				Sold in 2003; See Attach. VIII-A				
44. - Turner Midcap Gr.	See Attachment VIII-B		M	T					
45. - RS Emerg. Gr.	None				Sold in 2003; See Attach. VIII-A				
46. - Axiom Int'l Inv.	See Attachment VIII-B		O	T					
47. - SSgA Passiv *	See Attachment VIII-B		N	T					
48. - Royce Lo Pr Stk	See Attachment VIII-B		N	T					
49. - Davis NY Venture	See Attachment VIII-B		N	T					
50. - SSgA Bond Mkt (X)	See Attachment VIII-B		N	T	Bought in 2003; See Attach. VIII-A				
51. White & Case Loo Pension	None				Distrib- ution; See Attach. VIII-C	8/2	N		

* This fund was erroneously identified in my nomination A0-10 report dated January 14, 2003 as "Strong Gov't Sec." See nomination report, Section VII, line 25.

Richard J. Holwell

**FORM A0-10
ATTACHMENT VIII-A**

The investments identified in Attachment VII, items nos. 16, 24, 26, 32 and 50 were purchased in 2003 and, therefore, are not transactions occurring within the reporting period. Moreover, these assets were not listed on my nomination A0-10 report dated January 14, 2003 as they were acquired after the date of that report.

The investments identified in Attachment VII, item nos. 3, 5, 7, 22, 43, 45 and 47 were sold in 2003 and, therefore, are not transactions occurring within the reporting period. However, these assets were listed in my nomination A0-10 report dated January 14, 2003 as they had been acquired prior to the filing of the report.

**FORM A0-10
ATTACHMENT VIII-B**

Item 40. White & Case Retirement Income Plan ("RIP"). The White & Case RIP is a defined benefit pension originally adopted in 1985 and is limited to certain partners and employees of the Firm. The RIP provides upon retirement an annual benefit, which is a percentage of the total compensation earned by a participant during membership in the plan. The contributions to RIP are actuarially determined and are paid by the Firm to a trust fund. I am fully vested in the plan. Participants have no control over the trust fund's investments. My annual accrued benefit, payable at age 60 (in 2006) is \$53,238. I do not realize income prior to 2006.

Items 41-50 White & Case 401(K) Plan. The plan administrator, CitiStreet Retirement Plan, does not provide plan participants with periodic income information on either an aggregate or per-fund basis. The only information provided is the change in valuation over time. This information is provided below:

FUND	VALUATION 01/01/04	VALUATION 12/31/04
TCW Galileo Sel	\$252,883	\$284,580
Turner Mid Cap Growth	142,037	157,726
Axiom Int'l Inv.	550,412	600,972
Royce Lo Pr Stk	220,437	250,503
Davis NY VentureA	412,324	463,345
SSGA Passive	292,060	302,866

Items 37-39 Fidelity Annuity. Fidelity does not provide any periodic income information on either an aggregate or per-fund basis. The only information provided is periodic valuation. The 1/1/04 valuations of the Fidelity Annuity Contrafund and Fidelity Annuity Adv. Gr. Opp. 1 were \$60,767 and \$92,418, respectively; the 12/31/04 valuations were \$69,609 and \$98,269, respectively.

Richard J. Holwell

**FORM A0-10
ATTACHMENT VIII-C**

My accrued benefits in the White & Case LEO Pension Plan (\$281,907) were distributed to me on 8/2/04 and reinvested in various rollover IRA's. There was no gain on the transaction. The value of this plan was reduced to zero by the end of the reporting period.