

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) Wesley, Richard C	2. Court or Organization US Court of Appeals, 2nd Cir.	3. Date of Report 3/11/2004
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) Active, U.S. Circuit Judge	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 Livingston Co. Gov't Center 6 Court Street Geneseo, New York 14454	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. Director	Myers Foundation
2. Member	Cornell University Advisory Council
3. Member	Cornell Law School Advisory Council
4.	See additional page regarding Trustee.

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of filing instructions)☐ NONE - (No reportable agreements.)

DATE	PARTIES AND TERMS
1. 2003	New York State Employees Retirement System: pension upon retirement at 55 or later, as I elect

RECEIVED
MAR 16 10 51 AM '04
FINANCIAL
DISCLOSURE OFFICE

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

Wesley, Richard C

Date of Report

3/11/2004

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.)

	<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>GROSS INCOME</u> (yours, not spouse's)
1.	2003	New York Court of Appeals (salary)	\$68,893.97

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	Livonia Central School (salary)

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

Wesley, Richard C

Date of Report

3/11/2004

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.	Monroe County Bar Association	Honorary Membership Dues	\$220

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.			

FINANCIAL DISCLOSURE REPORT

Page 1 of 2

Name of Person Reporting

Wesley, Richard C

Date of Report

3/11/2004

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)	(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)
☐ NONE (No reportable income, assets, or transactions)									
1. Wyoming County Bank	A	Interest	J	T	CLOSED				
2. Key Bank Account	A	Interest	J	T	opened	8/15	K		
3. Aengen (IRA)	A	Dividend	J	T					
4. Plug Power Inc. (IRA)	A	Dividend	J	T					
5. American Capital Fund (IRA)	A	Dividend	L	T					
6. Firsthand Funds Tech Value (IRA)	A	Dividend	J	T					
7. Fundamental Investors (IRA)	B	Dividend	M	T					
8. Franklin/Templeton World Fund - A (IRA)	A	Dividend	K	T					
9. Washington Mutual Investors (IRA)	B	Dividend	L	T					
10. Washington Mutual Investors	A	Dividend	J	T	Partial sale	7/23	J	A	
11. Aetna Real Estate Assoc., L.P. (IRA)	A	Dividend	J	T	Dissolved	3/31	J	A	
12. Solomon Smith Barney Money Funds Cash (IRA)	A	Interest	J	T					
13. First Trust of Denver Cash Fund (IRA)	A	Interest	K	T					
14. Washington Mutual Investors	A	Dividend	J	T	Partial sale	7/23	J	A	
15. Trust I	A	Interest	J	T					
16. Trust II	A	Interest	J	T					
17. NWML Balanced Funds (IRA)	A	Dividend	J	T					
18. Northwestern Mutual Life (Whole Life)	D	Dividend	K	T					

1. Income/Gain Codes:	A = \$1,000 or less (See Columns B1 and D4)	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:	J = \$15,000 or less (See Columns C1 and D3)	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	P3 = \$25,000,001-\$50,000,000 P4 = More than \$50,000,000
3. Value Method Codes:	Q = Appraisal (See Column C2)	R = Cost (Real Estate Only) U = Book Value	S = Assessment V = Other	T = Cash/Market	

FINANCIAL DISCLOSURE REPORT

Page 2 of 2

Name of Person Reporting

Wesley, Richard C

Date of Report

3/11/2004

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)	(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)
19. Northwestern Mutual Life (Whole Life)	A	Dividend	J	T					
20. Northwestern Mutual Life (Whole Life)	B	Dividend	K	T					
21. Northwestern Mutual Life (Whole Life)	A	Dividend	J	T					
22. Northwestern Mutual Life (Whole Life)	A	Dividend	J	T					
23. Northwestern Mutual Life (Whole Life)	A	Dividend	J	T					
24. Northwestern Mutual Life (Whole Life)	A	Dividend	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 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 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		

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

Wesley, Richard C

Date of Report

3/11/2004

VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

1. Part I - Positions:

Trust I

Trust II I am the trustee for both trusts.

2. Part VII - Investments and Trusts:

Page 1, Line 18-24:

I inadvertently omitted these life insurance policies in my nomination report.

3. Part VII - Investments and Trusts:

Page 1:

In my nomination report, I included Immunex common stock as an investment asset and noted it had been part of a "distribution". That distribution was a take-over by Amgen, listed at line 3 of this report. I received some Amgen stock and cash. In checking my records, the sale occurred in 2002, not 2003. Thus, it has not been listed in this report.

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

Wesley, Richard C

Date of Report

3/11/2004

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

11 March 2004

NOTE: ANY INDIVIDUAL WHO REFUSES 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