

AO-10

Rev. 1/2004

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) Gottschall, Joan B	2. Court or Organization U.S. District Court, NDIL	3. Date of Report 5/19/2004
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) District Judge--active status	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 219 South Dearborn St. Room 1978 Chicago, IL 60604	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. Member	Visiting Committee to the Divinity School, University of Chicago
2. Member, Board of Directors	Illinois Humanities Council
3. Member, Board of Directors	Martin Marty Center at the University of Chicago Divinity School
4.	

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

☒ NONE - (No reportable agreements.)

DATE	PARTIES AND TERMS
1.	

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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.)DATESOURCE AND TYPEGROSS INCOME

(yours, not spouse's)

1.

See Section VIII, note 1.

0.00

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.

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.)

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1. Union League Club of Chicago	Reduced annual dues for judges	\$1,716

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.		

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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. 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. Vanguard Wellington Fund	A	Dividend	K	T					
2. Vanguard Wellesley Fund	B	Dividend	K	T					
3. Vanguard Index Trust	A	Dividend	L	T					
4. Vanguard Prime Portfolio	A	Dividend	K	T					
5. Van Kampen Emerging Growth Fund	A	Dividend	J	T					
6. Eaton Vance Muni Bond Fund	B	Dividend	K	T					
7. US Treasury Strip (11-15- 9)		None	J	T					
8. Fed Empl Credit Union Accts	A	Interest	K	T					
9. IBM common stock	A	Dividend	J	T					
10. ML Global Bond Focus Fund (name now is ML Core Bond Fnd)	A	Dividend			Sell	4/22	J	B	
11. Pimco Total Return Fund	A	Dividend	K	T	Buy	4/22	K		
12. Sr.Hi Inc Port.	A	Dividend	J	T					
13. Viacom c/stock Class A	A	Dividend	J	T					
14. Viacom c/stock Class B	A	Dividend	K	T					
15. Mercury HW Intern'l Value Fnd	A	Dividend			Sell	4/22	J	A	
16. Alliance Premier Growth Fund		None			Sold	11/17	J		
17. Munder Net Net Fund		None	J	T					
18. AOL Time Warner c/stock (now Time Warner c/stock)		None	J	T					Name change: Time Warner

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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						(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. Intel c/stock	A	Dividend	J	T					
20. Waste Management c/stock	A	Dividend	J	T					
21. Vanguard Tax-Managed Growth & Income Fund	A	Dividend	J	T					
22. Flextronics c/stock		None	J	T					
23. Hewlett-Packard c/stock	A	Dividend	J	T					
24. ETrade Tx-Ex Money Market Fund	A	Dividend			Sell	1/28	J		
25. ADVP c/stock		None	J	T					
26. Dycor c/stock		None	J	T					
27. MVSN c/stock		None	J	T					
28. Seligman Tef Natl Tax Ex Ser	A	Dividend			Sell	11/17	J	A	
29. MFS Mid-Cap Growth Fund B		None	J	T					
30. Putnam New Value Fund	A	Dividend	K	T					
31. MFS Utilities Fund	A	Dividend	J	T					
32. MFS Govt Securities Fund	C	Dividend	L	T					
33. MFS Value Fund B	A	Dividend	L	T					
34. MFS Large Cap Growth		None	J	T					
35. Morgan Stanley Active Assets Money Trust	A	Dividend	M	T	Bought/Sol d	*	J		*passim
36. Morgan Stanley Liquid Assets Fund	A	Dividend	J	T	Bought/sol d	*	J		*passim

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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)
37. Vanguard Capital Opportunity Fund	A	Dividend	J	T					
38. MFS Government Mortgage Fund	A	Dividend	K	T	Bought more	11/17	J		
39. Morgan Stanley (MS) US Govt Sec. Fund	A	Dividend	K	T	Buy	*	K		*6/10/02- overlooked '02

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

NOTE 1 (Section III)

I am a shareholder in a family business as was described fully in my 1991 Financial Disclosure Report and in the October 23, 1991, Opinion of the Committee on Codes of Conduct, which was attached to that Report and is attached hereto. I realized no income from this business during the reporting period.

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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 19, 2004

NOT A PERSON 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

COMMITTEE ON CODES OF CONDUCT
OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES
FEDERAL BUILDING, LOCKBOX 23
844 KING STREET
WILMINGTON, DELAWARE 19801

JUDGE R. LANIER ANDERSON, III
JUDGE FRANKLIN S. BILLINGS, JR.
JUDGE JOHN P. FULLAN
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CHAIRMAN

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R. TOWNSEND ROBINSON
COUNSEL
FBI: 622-8887

October 23, 1991

The Honorable Joan B. Gottschall
United States District Court
219 South Dearborn Street
Chicago, Illinois 60604

Re: Docket No. 828

Dear Judge Gottschall:

In 1986, 1987, and 1988 you, along with your [REDACTED] edited and proofread a manuscript on a non-legal subject written by your [REDACTED]. The manuscript was published as a book by your [REDACTED]. The book is selling well enough to produce income for its publisher, author, and editors. Your [REDACTED] who reside in Canada have proposed formation of a partnership under Canadian laws whose assets will be all the rights to the book. The partners will be your [REDACTED] and you. After the partnership is formed, it will, in turn, be dissolved and the assets transferred to a Canadian corporation whose shareholders will be the partners of the dissolved partnership. After the partnership is formed, your sole role will be to serve as a shareholder. As a shareholder, you will share in proceeds arising from the sales of the book and the use of the rights to the book. You ask whether you may participate in this arrangement without transgressing either the Code of Conduct for United States Judges or the Ethics Reform Act of 1989.

The receipt of income from writing or editing a book is permitted under the Code of Conduct. Canon 5A says, "A judge may write ... on non-legal subjects." The Committee believes that editing and proofreading are activities covered by the word "writing." And the Committee has approved, at least implicitly, the receipt of income from writing. Advisory Opinion No. 55. There are restrictions on the manner in which a judge's name may be used in the promotion of a book, but, we assume, these restrictions are not likely to be involved in your case since you are not the author and your name is unlikely to be used in connection with selling of the book. Nor is there anything about the nature of the

The Honorable Joan B. Gottschall
October 23, 1991
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book, "Food and the Gut Reaction", that suggests your association with the book would "detract from the dignity of the judge's office." Canon 5A.

Under Canon 5C(2) a judge may serve as a "director [or] active partner . . . of any . . . business wholly owned by members of the judge's family all of whom are related to the judge . . . within the third degree . . . according to the civil law system." Your [redacted] are related to you within the third degree, and you may be their partner in a [redacted] business or a shareholder in the [redacted] corporation. The language of the Canon permits, a fortiori, your participation as an inactive partner and a non-officer shareholder in a family enterprise. Your participation in the enterprise would not violate your duty under Canon 5C.3 to "manage . . . financial interests to minimize the number of cases in which the judge is disqualified"; this is so because you could not, in any event, hear cases in which your parents and sister have an interest. Canon 3C1(d).

Finally, the Ethics Reform Act does not generally prohibit either serving as a partner or a shareholder. There are specific limitations to such activity, but these are not, save one, remotely applicable here. Regulations of the Judicial Conference of the United States Under Title VI of the Ethic Reform Act of 1989 ("Title VI Regulations"). The Title VI Regulations do bar any service "for compensation as an officer or member of the board of any . . . corporation or other entity." § 5(a)(4). In your case, you will not serve as an officer or board member and the prohibition of § 5(a)(4) does not apply to your proposed activity.

You also should be aware that the Ethics Reform Act limits the amount of outside income earned in any one year. The income limit is not applicable in your circumstances. Title VI Regulations § 3(b)(2) provides that "funds received for services rendered . . . before January 1, 1991" are not outside earned income.

The Committee advises that the course of action proposed by you is consistent with the Codes of Conduct and the Title VI Regulations of the Judicial Conference.

For the Committee

[redacted]
Chairman