

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2008Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Gertner, Nancy	2. Court or Organization U.S. District Court - MA	3. Date of Report 07/23/2009
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Article III Judge - Active	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2008 to 12/31/2008
7. Chambers or Office Address John Joseph Moakley U.S. Court 1 Courthouse Way, Ste. 4130 Boston MA 02210	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.)POSITIONNAME OF ORGANIZATION/ENTITY

1. Trustee	Petra Foundation (a non-profit foundation)
2. Instructor	Yale Law School
3. Guest Instructor	William S. Richardson School of Law, Honolulu, HI
4.	
5.	

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

1. 1994	Dwyer, Collora & Gertner: Partnership Agreement
2. 1987	Silvergate, Gertner, Fine & Good: Partnership Agreement
3.	

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2009 AUG 10 A 10:00
FINANCIAL
DISCLOSURE OFFICE

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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. 2008	Yale Law School; teaching sentencing seminar, spring and fall semesters. *** (See Section VIII)	\$20,780.00
2. Jan. 2008	William S. Richardson School of Law, Honolulu, HI taught American Jury Process	\$5,706.00
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. 2008	American Civil Liberties Union of Massachusetts salary
3. 2008	American Civil Liberties Union of Massachusetts deferred annuity
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. Yale Law School, New Haven, CT	spring & fall semesters	New Haven, CT	Taught once a week	Travel, sometimes lodging and meals
2. William S. Richardson School of Law	January 8-23	Nonolulu, HI	Taught	Travel, lodging and meals (see also Part I)
3. American College of Trial Lawyers	January 24-26	Frisco, TX	Lecture	Travel, lodging and meals
4. New York University	March 11	New York, NY	Symposium	Travel, lodging
5. New York University	April 5	New York, NY	Chaired Interview Panel	Travel, lodging

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6. Fordham Law School	April 24	New York, NY	Stein Center Faculty Mtng	Travel, lodging
7. American Law Institute	April 25	Philadelphia, PA	Advisers' Meeting	Travel, lodging
8. National Judicial College	May 2	Meredith, NH	Presentation	Travel
9. American Bar Association	May 14-15	Chicago, IL	Keynote Speaker	Travel, lodging and meals
10 Bennington College	May 19	Bennington, VT	Lecture	Travel, lodging
11 Assoc. of American Law Schools	June 4-5	Cleveland, OH	Lecture	Travel, lodging and meals
12 Nat'l. Assoc. of Sentencing Commissioners*	August 3-5	San Francisco, CA	Presentation	Travel, lodging and meals
13 Women's Bar Association	August 7	New York, NY	Presentation	Travel, lodging and meals
14 American Bar Association	August 9	New York, NY	Received Marshall Award	Travel
15 John Jay College	October 1	New York, NY	Presentation	Travel
16 Nat'l. Assoc. of Women Judges	October 16-17	Portland, OR	Annual Meeting	Travel, lodging
17 Wellesley College & Yale Law School*	October 18-25	Beijing, China	Taught	Travel, lodging and meals
18 Fordham Law School	October 29	New York, NY	Advisors meeting	Travel, lodging
19 American Bar Association	December 8	Washington, DC	Conference	Travel, lodging and meals

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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. American Express	Revolving Credit	J
2. Bank of America - Visa	Visa - Revolving Credit	J
3. ATT Universal Card	Revolving Credit	J
4. American Express Blue	Revolving Credit	J
5. RBS	Revolving Credit	None

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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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. IRA ACCOUNT AT SCHWAB:									
2. Schwab Money Market	A	Dividend	L	T					
3. Dodge & Cox Balanced Fund	A	Dividend			Sold	8/19	J		
4. FPA Crescent Instl	A	Dividend			Sold	10/06	J		
5. First Eagle Global Fund	A	Dividend	K	T	Buy	8/22	J		
6.	A	Dividend			Sold	10/03	K	A	
7. Oakmark Equity & Income	A	Dividend	K	T	Buy	8/22	J		
8.	A	Dividend	J	T	Sold (part)	10/6	J	B	
9. T. Rowe Price Cap. Apprec.	A	Dividend			Sold	10/03	K		
10. Valero Energy Corp.	A	Dividend			Sold	7/30	J		
11. Keeley Small Cap Value		None	K	T	Sold (part)	8/22	J	A	
12.		None	J	T	Sold (part)	9/25	J	A	
13.		None			Sold	10/03	J		
14. Berwyn Income Fund	A	Dividend			Sold	7/30	J		
15. ICON Energy Fund	A	Dividend			Sold	8/19	J		
16. Third Avenue Value	A	Dividend			Sold	7/30	J		
17. Eaton Vance Dividend Builder Fund*	A	Dividend	J	T	Sold (part)	8/22	J		

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 = \$500,001 - \$1,000,000	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	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

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18.	A	Dividend			Sold	10/03	J		
19. Marsico 21st Century		None	J	T	Sold (part)	7/30	J	A	
20.		None	J	T	Sold (part)	8/22	J	A	
21.		None			Sold	9/30	J		
22. Dodge & Cox Int'l. Stock	A	Dividend			Sold	8/19	J		
23. SECOND IRA AT SCHWAB:									
24. Schwab Money Mkt (See Section VIII) **		None	J	T					
25. Cash** (see Section VIII)	A	Dividend	K	T					
26. Dodge & Cox Balance	A	Dividend			Sold	8/19	J		
27. Lingleaf Partners Small Cap		None			Sold	7/30	J		
28. FPA Crescent Int'l	A	Dividend	J	T	Buy	8/22	J		
29. Caterpillar Common Stock ***	A	Dividend			Sold	8/19	J		
30. ICON Energy Fund ***	A	Dividend	J	T	Sold (part)	8/22	J		
31.	A	Dividend			Sold	9/30	J		
32. Third Avenue Value ***	A	Dividend			Sold	7/30	J		
33. Dodge & Cox Int'l. Stock ***	A	Dividend			Sold	10/03	J		
34. Harbor Int'l. Fund	A	Dividend	J	T	Buy	8/22	J		

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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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35. James Bal. Golden Rainbow	A	Dividend	J	T	Buy (add'l)	8/22	J		
36. Permanent Folio Fund	A	Dividend	J	T	Buy	8/25	J		
37. BROKERAGE ACCT. AT SCHWAB:									
38. Schwab Money Market (See Section VIII)**	A	Dividend	J	T					
39. Cash (See Section VIII)*		None	J	T					
40. 2ND BROKERAGE ACCT AT SCHWAB									
41. Schwab Money Market (See Section VIII)**		None	J	T					
42. Cash (See Section VIII)**		None	J	T					
43. Cisco Systems common stock		None	J	T					
44. Oakmark Equity Income	A	Dividend	J	T					
45. Pkng., house rental, [REDACTED], Brookline MA****	E	Rent	K	W					
46. Permanent Portfolio Fund	A	Dividend	J	T	Buy	8/25	J		

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

Part I. Positions:

The Petra Foundation is a non-profit organization.

Part II. Agreements:

The partnership agreement with Dwyer, Collora & Gertner (now Dwyer & Collora) governs the partnership distribution (including capital contribution and fees) for legal services rendered before my induction on April 25, 1994. The partnership agreement with Silvergate, Gertner, Fine & Good governs fees generated during the partnership life (which ended in 1990) but received after its termination.

Part VII. Investments and Trusts

**Cash moves between money market and cash accounts, as purchases and sales of holdings are made. The money balance is held in a position actually called "Cash"; a position where funds are held.

* Eaton Vance Utilities Fund changed its name to Eaton Vance Dividen Builder Fund.

***Holdings under "Second Ira at Schwab." (#29-32 should go after FPA Crescent holding.)

****Rental of a parking space and the carriage house next to our house.

Part IV. Reimbursements:

Item 12 - the expenses for my presentation at the National Association of Sentencing Commissioners were paid for by Yale Law School.

Item 17 - my expenses were split between Wellesley Centers for Women at Wellesley College and the China Law Center of Yale Law School.

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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 FALSIFY 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