

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2010

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) Smith, D. Brooks	2. Court or Organization Third Circuit Court of Appeals	3. Date of Report 05/15/2011
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Judge-Active	5a. Report Type (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2010 to 12/31/2010
7. Chambers or Office Address US Court of Appeals, Ste 203 1798 Old Route 220N Duncansville, PA 16635	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. Trustee	Mount Aloysius College, Cresson, PA
2. Board of Counselors	Penn State University - Dickinson School of Law
3.	
4.	
5.	

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.	
2.	
3.	

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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. 2010	The Pennsylvania State University-Dickinson Law School-Adjunct Professor Spring Semester- See Part VIII	\$23,578.00
2.		
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. 2010	Reliance Bank - Vice President, Business Banker II - Salary
2.	
3.	
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. Mount Aloysius College	03/12/2010-03/14/2010	Pittsburgh, PA	Board of Trustees President Search Committee	Food and lodging
2. University of Virginia School of Law	04/09/2010-04/11/2010	Charlottesville, VA	Moot Court Competition	Travel, food and lodging
3. St John's University School of Law	04/13/2010-04/14/2010	Queens, NY	Moot Court Competition	Travel, food and lodging
4. Penn State University Dickinson School of Law	03/25/2010-03/26/2010	Carlisle, PA	Speaker in CLE Program	Travel, food and lodging

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5.	Arizona State University Sandra Day O'Connor College of Law	04/24/2010-04/27/2010	Phoenix, AZ	Legal Program	Travel, food and lodging
6.	University of Pittsburgh School of Law	05/05/2010-05/06/2010	Pittsburgh, PA	Speaker in CLE Program	Travel, food and lodging
7.	Foundation for Research on Economics & the Environment	08/06/2010-08/12/2010	Bozeman, MT	Educational Program	Travel, food and lodging
8.	New York Law School	09/25/2010-09/27/2010	New York, NY	Moot Court Competition	Travel, food and lodging
9.	Academy of Trial Lawyers	10/6/2010-10/7/2010	Farmington, PA	Bar Association Meeting	Travel, food and lodging
10.	Duquesne University Law School	11/4/2010-11/05/2010	Pittsburgh, PA	Speaker at Legal Seminar	Travel, food and lodging
11.					
12.					
13.					

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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.		
2.		
3.		
4.		
5.		

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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 except 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 mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Reliance Bank Certificate of Deposit	A	Interest	K	T					
2. FNB Corp (common)	A	Dividend	J	T					
3. Fifth Third Bancorp	A	Dividend	J	T					
4. AST JP Morgan Strategic Opportunities Port. 1,4	A	Int/Div.	L	T	Sold (part)	06/01/10	K		
5. AST Academic Strategies Asset Allocation 1	A	Dividend	L	T	Sold (part)	06/01/10	L		
6. M&T Bank (common)	C	Dividend	M	T					
7. Principal Global Investors (X) (1) Principal Money Market	A	Int/Div.	K	T					
8. Principal Global Investors (1) Bond & Mortgage	A	Int/Div.	J	T					
9. Principal Real Estate Inv (1) Principal US Property	A	Int/Div.	K	T					
10. Principal Global Investors (1) Prin LargeCap S&P 500 Inde	A	Int/Div.	K	T					
11. Principal Global Investors (1) Principal SmallCap Growth	A	Int/Div.			Sold	10/15/10	J	B	
12. Principal Global/Barrow Hanley (1) MidCap Value III	A	Int/Div.	K	T					
13. Principal Global Investors/DFA (1) International SmallCap	A	Int/Div.	K	T					
14. Northwestern Mutual Life Insurance (Universal Life Policies)	D	Dividend	M	T					
15. Reliance Bank IRA	B	Interest	L	T					
16. Reliance Bank IRA 2	B	Interest	L	T					
17. Reliance Bank-Checking Account	A	Interest	L	T					

1. Income Gain Codes:
(See Columns B1 and D4)

A = \$1,000 or less
F = \$50,001 - \$100,000

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

E = \$15,001 - \$50,000

2. Value Codes
(See Columns C1 and D3)

J = \$15,000 or less
N = \$250,001 - \$500,000

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

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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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 mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. Reliance Bank-Checking Account	A	Interest	J	T					
19. Reliance Bank-Checking Account (X)(3)	A	Interest	K	T					
20. Schroeders Multi Asset World Strategic (1)	A	Int./Div.	K	T	Buy	06/01/10	K		
21. AST CLS Moderate Asset Allocation (1)	A	Int./Div.	L	T	Buy	06/01/10	L		
22. AllianceBernstein/CCI/Brown SmallCap Growth (1)	A	Int./Div.	J	T	Buy	10/15/10	J		
23.									
24.									
25.									
26.									
27.									
28.									
29.									
30.									
31.									
32.									
33.									
34.									

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H1 = \$1,000,001 - \$5,000,000

D = \$5,001 - \$15,000

E = \$15,001 - \$50,000

2. Value Codes
(See Columns C1 and D3)

J = \$15,000 or less
N = \$250,001 - \$500,000
P3 = \$25,000,001 - \$50,000,000

K = \$15,001 - \$50,000
O = \$500,001 - \$1,000,000

L = \$50,001 - \$100,000
P1 = \$1,000,001 - \$5,000,000
P4 = More than \$50,000,000

H2 = More than \$5,000,000
M = \$100,001 - \$250,000
P2 = \$5,000,001 - \$25,000,000

3. Value Method Codes
(See Column C2)

Q = Appraisal
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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)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	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, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)
35.									
36.									
37.									
38.									
39.									
40.									
41.									
42.									
43.									
44.									

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E = \$15,001 - \$50,000

2. Value Codes
(See Columns C1 and D3)

J = \$15,000 or less
N = \$250,001 - \$500,000
P3 = \$25,000,001 - \$50,000,000

K = \$15,001 - \$50,000
O = \$500,001 - \$1,000,000

L = \$50,001 - \$100,000
P1 = \$1,000,001 - \$5,000,000
P4 = More than \$50,000,000

M = \$100,001 - \$250,000
P2 = \$5,000,001 - \$25,000,000

3. Value Method Codes
(See Column C2)

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

Part IIIA: Represents services from 01/11/2010 through 04/26/2010

Part VII:

1) Held in ☐ Reliance Bank 401(k)

2) Self directed IRA

3) Reliance Bank-Checking Account ☐ asset inadvertently admitted from prior year report

4) AST UBS Dynamic Alpha changed names to AST JP Morgan Strategic Opportunities Port on 3/10/2010

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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 FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

Committee on Financial Disclosure
Administrative Office of the United States Courts
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Washington, D.C. 20544