

UNITED STATES COURT OF APPEALS
SECOND CIRCUIT

CHAMBERS OF ROBERT D. SACK
UNITED STATES CIRCUIT JUDGE

212-857-2140


*Recorded 6/30/09 pm
6/26/09 letter.*

UNITED STATES COURTHOUSE
40 FOLEY SQUARE, NEW YORK, NY 10007

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2008

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) Sack, Robert D.	2. Court or Organization US Court of Appeals, 2d Cir.	3. Date of Report 5/1/2009
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) US Circuit Judge (Active)	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2008 to 12/31/2008
7. Chambers or Office Address 40 Foley Square, Suite 601 New York, NY 10007	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. Director	William F. Kerby and Robert S. Potter Fund
2. Lecturer in Law	Columbia Law School
3. Member, Columbia Board of Visitors	Columbia Law School
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. 9/3/98	Practising Law Institute and Robert D. Sack, publication of 3rd edition of treatise on defamation law; royalty 15% of net receipts
2. 1998	Gibson, Dunn & Crutcher LLP Retirement Agreement between Gibson Dunn & Crutcher LLP and Robert D. Sack; Terms: \$6,000 per month, no increase, decrease or cap
3.	

RECEIVED
2009 JUL -7 A 11:21
FINANCIAL
DISCLOSURE OFFICE

FINANCIAL DISCLOSURE REPORT

Page 2 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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	Practising Law Institute Book Royalties	\$15,114.45
2. 2008	Gibson, Dunn & Crutcher LLP Retirement Plan	\$72,000.00
3. 2008	Lecturer in Law, Columbia Law School	\$7,500.00
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. 2008	Dewey Ballantine Partnership Distribution
2. 2008	West Services Inc.
3. 2008	Katten Muchin Rosenman Retirement Payments
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. Federal Bar Council	10/24-26/2008	Lenox, MA	Bench & Bar Retreat	Travel, Hotel, Food.
2.				
3.				
4.				
5.				

FINANCIAL DISCLOSURE REPORT

Page 3 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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. Citibank Aadvantage	Credit Card	J
2. Citibank Aadvantage	Credit Card	J
3. Chase Visa	Credit Card	J
4.		
5.		

FINANCIAL DISCLOSURE REPORT

Page 4 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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. JPMorgan Chase Accounts	A	Interest	L	T					
2. JPMorgan 3916 US Govt MMKT Fund - Morgan	D	Dividend			Transferred (to line 3)	7/11	N		
3. JP Morgan 1086 US Govt MMKT Fund - Premier (formerly Morgan)	B	Dividend	N	T	Transferred (from line 2)	7/11	N		
4. Unsecured loan to David W. McClintick		None	J	T					
5. Dewey Ballantine Partnership Capital Account		None	J	T					
6. GD&C CitiStreet 401(k)	D	Interest	O	T					
7. - SSgA Money Market Fund									
8. Oppenheimer Advantage Municipal Liquidity Fund (Y)									
9. Boeing Co. Common Stock	A	Dividend	J	T					
10. Blackrock New York Insured Municipal Income Trust III	B	Dividend	K	T					
11. Van Kampen Trust for Invst. Grade NY Municipals	A	Dividend	J	T					
12. Oppenheimer NY Municipal Fund CI A	C	Dividend	K	T					
13. Oppenheimer NY SFSA 5% Due 3/15/10	A	Int./Div.	K	T	Buy	10/2	K		
14. JPMorgan Chase Traditional IRA	A	Interest	J	T					
15. Northwestern Mutual Life Insurance Policy	C	Dividend	L	T					
16. Guardian Life Insurance Policy	A	Dividend	K	T					
17. Massachusetts Mutual Life Insurance Policy	A	Dividend	J	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 H2 = More than \$5,000,000	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	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	

FINANCIAL DISCLOSURE REPORT

Page 5 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
18. Morgan Stanley Bank Deposit Program	A	Dividend	L	T					
19. Morgan Stanley MTA 5.35 Zero Coupon Bond due 7/1/12	A	Interest	K	T					
20. MS New York Genl Oblig Ref Ser-C due 4/15/13	A	Interest	K	T					
21. MS NYS DA SECD Hosp Interfaith Med Bond 5.25 due 2/15/14	C	Interest			Sold	2/15	L	A	
22. Morgan Stanley LIPA 5.60 Zero Coupon Bond due 6/1/14	A	Interest	K	T					
23. MS NYS Power Auth Rev Ref Ser-C 4% due 11/15/20	A	Interest	K	T	Buy	10/29	K		
24. MS NYC Genl Oblig Ser-I 4% Due 2/1/22	B	Interest	L	T	Buy	2/14	K		
25. Morgan Stanley Fed Home Ln Mtg Med Term N 4% 10/15/10	B	Interest			Sold	3/20	K	A	
26. Morgan Stanley Fed Hm Ln Bk 4% 3/24/11	B	Interest			Sold	3/24	K	A	
27. Morgan Stanley FHLB 5.050% due 2/14/13	B	Interest			Sold	2/14	K	A	
28. Morgan Stanley FHL Mtg Corp Med Term N 5% due 9/15/15	B	Interest			Sold	12/31	K	A	
29. MS Fed Home Ln Mtg Corp Med Term N 5% due 9/15/16	B	Interest	K	T					
30. MS Fed Hom LN BK 5% due 6/12/18	A	Interest	K	T	Buy	11/5	K		
31. Morgan Stanley Global Dividend Growth Sec A	A	Dividend	J	T					
32. Morgan Stanley Special Value Fund A	B	Dividend	J	T					
33. Morgan Stanley Special Growth Fund A	A	Dividend	J	T					
34. MS Focus Growth Fd	A	Dividend	J	T					

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	
3. Value Method Codes (See Column C2)					

FINANCIAL DISCLOSURE REPORT

Page 6 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
35. MS Oppen. AMT Free NY Mun B (Class E exchange)	B	Dividend	K	T					
36. Morgan Stanley Franklin NY Tax Free Inc B	B	Dividend	K	T					
37. Goldman Sachs High Yld Muni A	A	Dividend	J	T					
38. JPMorgan Federal Money Market Fund - Morgan	A	Dividend	K	T					
39. Fiduciary Holdings	C	Int./Div.	M	T					
40. -Morgan Stanley Bank Deposit Program									
41. -Morgan Stanley MTA NY Transit Zero Coupon Bond due 7/1/13									
42. -Morgan Stanley Franklin NY Tax Free Inc B									
43. -Morgan Stanley Oppen. AMT Free NY Municipal Fund B									
44. Neuberger State Street Mid Cap Growth Investor Class	A	Dividend	J	T					
45. MS Active Assets Tax Free Trust (AH) (Y)									
46. MS Pioneer Amt Free Muni A (AH)	B	Dividend			Transferred (to line 77)	8/15	L		
47. MS E V Amt Free Muni Bond A (AH)	C	Dividend			Transferred (to line 74)	8/15	L		
48. MS Phoenix Insight Tax Exempt Bd A (AH)	B	Dividend			Transferred (to line 81)	8/15	L		
49. MS Goldman Sachs High Yld Muni A (AH)	D	Dividend			Buy (add'l)	4/11	N		
50.					Transferred (to line 75)	8/15	N		
51. MS Oppenheimer Amt-Free NY Mun A (AH)	C	Dividend			Transferred (to line 76)	8/15	M		

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 H2 = More than \$5,000,000	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	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	

FINANCIAL DISCLOSURE REPORT

Page 7 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
52. MS American Tax-Exempt Bd Fd A (AH)	C	Dividend			Transferred (to line 80)	8/15	L		
53. RHH Trust (Y)									
54. -Citigroup Bank Deposit Account					Distributed (part)	2/22	L		
55.					Distributed	2/22	L		
56. Citi Smith Barney Bank Deposit Program (AH) (Y)									
57. MS Cash/MMF/Bank Deposit Accounts (A H) (Y)									
58. MS Blackrock Munihldng NY Ins Fd (AH)	A	Dividend			Transferred (to line 72)	8/15	L		
59. MS Nuveen NY Invt Qual Muni Fund (AH)	A	Dividend			Transferred (to line 73)	8/15	L		
60. MS Van Kampen Muni Income A (AH)	B	Dividend			Transferred (to line 70)	8/15	L		
61. MS Van Eck Glob Hard Assets A (AH)		None			Transferred (to line 71)	8/15	K		
62. MS E V AMT Free Muni Bond A (AH)	B	Dividend			Transferred (to line 66)	8/15	L		
63. MS American Tax-Exempt Bd Fd A (AH)	B	Dividend			Transferred (to line 69)	8/15	L		
64. Ameriprise Retirement Portfolio (AH)	E	Int./Div.	O	T					
65. - Ameriprise Insured Money Market (X)									
66. - Eaton AMT-Free Muni Bd A					Transferred (from line 62)	8/18	L		
67. - RSRV US Government R					Buy	9/19	O		
68.					Sold (part)	11/13	N		

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
Q=Appraisal
U=Book Value

B=\$1,001 - \$2,500
G=\$100,001 - \$1,000,000
K=\$15,001 - \$50,000
O=\$500,001 - \$1,000,000
R=Cost (Real Estate Only)
V=Other

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
S=Assessment
W=Estimated

D=\$5,001 - \$15,000
H2=More than \$5,000,000
M=\$100,001 - \$250,000
P2=\$5,000,001 - \$25,000,000
T=Cash Market

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

FINANCIAL DISCLOSURE REPORT

Page 8 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
69. - Amer T/E Bond of Amer A					Transferred (from line 63)	8/18	L		
70. - VK Muni Income A					Transferred (from line 60)	8/18	L		
71. - Van Eck GI Hard Assets A					Transferred (from line 61)	8/18	L		
72. - Blackrock Muni Holdings New					Transferred (from line 58)	8/18	K		
73. - Nuveen New York Invst Quality					Transferred (from line 59)	8/18	K		
74. - Eaton AMT-Free Muni Bd A					Transferred (from line 47)	8/22	L		
75. - GLD High Yield Mun A					Transferred (from line 49)	8/22	N		
76. - OPP AMT Free NY Muni A					Transferred (from line 51)	8/22	M		
77. - Pioneer AMT Free Muni A					Transferred (from line 46)	8/22	L		
78. - RSRV US Government R					Buy	9/19	M		
79.					Sold (part)	11/13	L		
80. - Amer T/E Bond of Amer A					Transferred (from line 52)	8/22	L		
81. - Phoenix Insight Tax Ex Bd A (X)					Transferred (from line 48)	8/22	L		
82.					Transferred (to line 83)	10/17	L		
83. - Virtus Tax Exempt Bond A (X)					Transferred (from line 81)	10/17	L		
84. - RiverSource Retirement Advisor 4 Adva ntage VA-Annuity									
85. - Fred Alger Large Cap Growth IRA					Buy	4/21	L		

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 H2 = More than \$5,000,000	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	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	

FINANCIAL DISCLOSURE REPORT

Page 9 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
86. - Franklin Intermediate Fixed Income IRA					Buy	4/14	O		
87.					Sold (part)	4/14	O		
88. - Spectrum Hybrid Preferred IRA					Buy	4/14	L		
89. - Renaissance International Equity IRA					Buy	4/14	L		
90. - Alliancebernstein Large Cap Core IRA					Buy	4/21	M		
91. - Munder Mid Cap Core IRA					Buy	4/21	L		

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 H2 = More than \$5,000,000	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	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	

FINANCIAL DISCLOSURE REPORT

Page 10 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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

Lines 59-61, JP Morgan Federal MMKT Fund - Morgan, on the 2007 Report have been deleted since they appeared on the 2007 Report twice (also at lines 40-42 on the 2007 report). The fund appears at line 38 on this 2008 Report.

Lines 81-83 represent security name change from Phoenix Insight Tax Exempt Bond A to Virtus Tax Exempt Bond A.

Line 64, Ameriprise Retirement Portfolio, is aggregated at lines 65-91.

The IRAs at lines 85 to 91 are part of the Ameriprise Retirement Portfolio at line 64. (No control over the assets within these IRAs.)

In the 2007 Report Part VII, page 8, line 71; page 9, lines 96, 97, 101 and 102; page 10, lines 109 and 111; and page 11 lines 121-126, assets were inadvertently reported. These assets are part of the RiverSource Retirement Advisor 4 Advantage VA-Annuity, at line 84 on this 2008 Report. No control over the assets within the annuity. This Annuity is part of the Ameriprise Retirement Portfolio at line 64.

A pending claim against Worldcom is currently in litigation (02 Civ. 3288 (DLC)). The worth of that claim cannot be determined at this time.

FINANCIAL DISCLOSURE REPORT

Page 11 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)

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

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2008

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) Sack, Robert D.	2. Court or Organization US Court of Appeals, 2d Cir.	3. Date of Report 5/1/2009
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) US Circuit 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 40 Foley Square, Suite 601 New York, NY 10007	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. Director	William F. Kerby and Robert S. Potter Fund
2. Lecturer in Law	Columbia Law School
3. Member, Columbia Board of Visitors	Columbia Law School
4.	
5.	

RECEIVED
 2008 MAY 18 A 9:50
 FINANCIAL
 DISCLOSURE OFFICE

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. 9/3/98	Practising Law Institute and Robert D. Sack, publication of 3rd edition of treatise on defamation law; royalty 15% of net receipts
2. 1998	Gibson, Dunn & Crutcher LLP Retirement Agreement between Gibson Dunn & Crutcher LLP and Robert D. Sack; Terms: \$6,000 per month, no increase, decrease or cap
3.	

FINANCIAL DISCLOSURE REPORT

Page 2 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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	Practising Law Institute Book Royalties	\$15,114.45
2. 2008	Gibson, Dunn & Crutcher LLP Retirement Plan	\$72,000.00
3. 2008	Lecturer in Law, Columbia Law School	\$7,500.00
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. 2008	Dewey Ballantine Partnership Distribution
2. 2008	West Services Inc.
3. 2008	Katten Muchin Rosenman Retirement Payments
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. Federal Bar Council	10/24-26/2008	Lenox, MA	Bench & Bar Retreat	Travel, Hotel, Food.
2.				
3.				
4.				
5.				

FINANCIAL DISCLOSURE REPORT
Page 3 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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. Citibank Aadvantage	Credit Card	J
2. Citibank Aadvantage	Credit Card	J
3. Chase Visa	Credit Card	J
4. _____	_____	_____
5. _____	_____	_____

FINANCIAL DISCLOSURE REPORT

Page 4 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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. JPMorgan Chase Accounts	A	Interest	L	T					
2. JPMorgan 3916 US Govt MMKT Fund - Morgan	D	Dividend			Transferred (to line 3)	7/11	N		
3. JP Morgan 1086 US Govt MMKT Fund - Premier (formerly Morgan)	B	Dividend	N	T	Transferred (from line 2)	7/11	N		
4. Unsecured loan to David W. McClintick		None	J	T					
5. Dewey Ballantine Partnership Capital Account		None	J	T					
6. GD&C CitiStreet 401(k)	D	Interest	O	T					
7. - SSgA Money Market Fund									
8. Oppenheimer Advantage Municipal Liquidity Fund (Y)									
9. Boeing Co. Common Stock	A	Dividend	J	T					
10. Blackrock New York Insured Municipal Income Trust III	B	Dividend	K	T					
11. Van Kampen Trust for Invst. Grade NY Municipals	A	Dividend	J	T					
12. Oppenheimer NY Municipal Fund Cl A	C	Dividend	K	T					
13. Oppenheimer NY SFSA 5% Due 3/15/10	A	Int./Div.	K	T	Buy	10/2	K		
14. JPMorgan Chase Traditional IRA	A	Interest	J	T					
15. Northwestern Mutual Life Insurance Policy	C	Dividend	L	T					
16. Guardian Life Insurance Policy	A	Dividend	K	T					
17. Massachusetts Mutual Life Insurance Policy	A	Dividend	J	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 H2 = More than \$5,000,000	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	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	

FINANCIAL DISCLOSURE REPORT

Page 5 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
18. Morgan Stanley Bank Deposit Program	A	Dividend	L	T					
19. Morgan Stanley MTA 5.35 Zero Coupon Bond due 7/1/12	A	Interest	K	T					
20. MS New York Genl Oblig Ref Ser-C due 4/15/13	A	Interest	K	T					
21. MS NYS DA SECD Hosp Interfaith Med B and 5.25 due 2/15/14	C	Interest			Sold	2/15	L	A	
22. Morgan Stanley LIPA 5.60 Zero Coupon Bond due 6/1/14	A	Interest	K	T					
23. MS NYS Power Auth Rev Ref Ser-C 4% due 11/15/20	A	Interest	K	T	Buy	10/29	K		
24. MS NYC Genl Oblig Ser-I 4% Due 2/1/22	B	Interest	L	T	Buy	2/14	K		
25. Morgan Stanley Fed Home Ln Mtg Med Tm N 4% 10/15/10	B	Interest			Sold	3/20	K	A	
26. Morgan Stanley Fed Hm Ln Bk 4% 3/24/11	B	Interest			Sold	3/24	K	A	
27. Morgan Stanley FHLB 5.050% due 2/14/13	B	Interest			Sold	2/14	K	A	
28. Morgan Stanley FHL Mtg Corp Med Term N 5% due 9/15/15	B	Interest			Sold	12/31	K	A	
29. MS Fed Home Ln Mtg Corp Med Term N 5% due 9/15/16	B	Interest	K	T					
30. MS Fed Hom LN BK 5% due 6/12/18	A	Interest	K	T	Buy	11/5	K		
31. Morgan Stanley Global Dividend Growth Sec A	A	Dividend	J	T					
32. Morgan Stanley Special Value Fund A	B	Dividend	J	T					
33. Morgan Stanley Special Growth Fund A	A	Dividend	J	T					
34. MS Focus Growth Fd	A	Dividend	J	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 H2 = More than \$5,000,000	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	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	

FINANCIAL DISCLOSURE REPORT

Page 6 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
35. MS Oppen. AMT Free NY Mun B (Class E exchange)	B	Dividend	K	T					
36. Morgan Stanley Franklin NY Tax Free Inc B	B	Dividend	K	T					
37. Goldman Sachs High Yld Muni A	A	Dividend	J	T					
38. JPMorgan Federal Money Market Fund - Morgan	A	Dividend	K	T					
39. Fiduciary Holdings	C	Int./Div.	M	T					
40. -Morgan Stanley Bank Deposit Program									
41. -Morgan Stanley MTA NY Transit Zero Coupon Bond due 7/1/13									
42. -Morgan Stanley Franklin NY Tax Free Inc B									
43. -Morgan Stanley Oppen. AMT Free NY Municipal Fund B									
44. Neuberger State Street Mid Cap Growth Investor Class	A	Dividend	J	T					
45. MS Active Assets Tax Free Trust (AH) (Y)									
46. MS Pioneer Amt Free Muni A (AH)	B	Dividend			Transferred (to line 80)	8/15	L		
47. MS E V Amt Free Muni Bond A (AH)	C	Dividend			Transferred (to line 77)	8/15	L		
48. MS Phoenix Insight Tax Exempt Bd A (AH)	B	Dividend			Transferred (to line 84)	8/15	L		
49. MS Goldman Sachs High Yld Muni A (AH)	D	Dividend			Buy (add'l)	4/11	N		
50.					Transferred (to line 78)	8/15	N		
51. MS Oppenheimer Amt-Free NY Mun A (AH)	C	Dividend			Transferred (to line 79)	8/15	M		

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 H2 = More than \$5,000,000	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	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	

FINANCIAL DISCLOSURE REPORT

Page 7 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
52. MS American Tax-Exempt Bd Fd A (AH)	C	Dividend			Transferred (to line 83)	8/15	L		
53. RHH Trust (Y)									
54. -Citigroup Bank Deposit Account					Distributed (part)	2/22	L		
55.					Distributed	2/22	L		
56. Citi Smith Barney Bank Deposit Program (AH) (Y)									
57. MS Cash/MMF/Bank Deposit Accounts (A H) (Y)									
58. MS Blackrock Munihldng NY Ins Fd (AH)	A	Dividend			Transferred (to line 73)	8/15	L		
59. MS Nuveen NY Invt Qual Muni Fund (AH)	A	Dividend			Transferred (to line 74)	8/15	L		
60. MS Van Kampen Muni Income A (AH)	B	Dividend			Transferred (to line 71)	8/15	L		
61. MS Van Eck Glob Hard Assets A (AH)		None			Transferred (to line 72)	8/15	K		
62. MS E V AMT Free Muni Bond A (AH)	B	Dividend			Transferred (to line 67)	8/15	L		
63. MS American Tax-Exempt Bd Fd A (AH)	B	Dividend			Transferred (to line 70)	8/15	L		
64. Ameriprise Retirement Portfolio (AH)	E	Int./Div.	O	T					
65. (SPS Advantage with One Features holdings follow)									
66. - Ameriprise Insured Money Market									
67. - Eaton AMT-Free Muni Bd A					Transferred (from line 62)	8/18	L		
68. - RSRV US Government R					Buy	9/19	O		

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 H2 = More than \$5,000,000	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	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	

FINANCIAL DISCLOSURE REPORT

Page 8 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
69.					Sold (part)	11/13	N		
70. - Amer T/E Bond of Amer A					Transferred (from line 63)	8/18	L		
71. - VK Muni Income A					Transferred (from line 60)	8/18	L		
72. - Van Eck GI Hard Assets A					Transferred (from line 61)	8/18	L		
73. - Blackrock Muni Holdings New					Transferred (from line 58)	8/18	K		
74. - Nuveen New York Invst Quality					Transferred (from line 59)	8/18	K		
75. (Strategic Portfolio Service Advantage holdings follow)									
76. - Ameriprise Insured Money Market									
77. - Eaton AMT-Free Muni Bd A					Transferred (from line 47)	8/22	L		
78. - GLD High Yield Mun A					Transferred (from line 49)	8/22	N		
79. - OPP AMT Free NY Muni A					Transferred (from line 51)	8/22	M		
80. - Pioneer AMT Free Muni A					Transferred (from line 46)	8/22	L		
81. - RSRV US Government R					Buy	9/19	M		
82.					Sold (part)	11/13	L		
83. - Amer T/E Bond of Amer A					Transferred (from line 52)	8/22	L		
84. - Phoenix Insight Tax Ex Bd A (X)					Transferred (from line 48)	8/22	L		
85.					Transferred (to line 86)	10/17	L		

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	
3. Value Method Codes (See Column C2)					

FINANCIAL DISCLOSURE REPORT

Page 9 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)
86. - Virtus Tax Exempt Bond A (X)					Transferred (from line 84)	10/17	L		
87. - RiverSource Retirement Advsor 4 Advan tage VA-Annuity									
88. (Ameriprise Retirement Portfolio IRAs foll ow)									
89. - Fred Alger Large Cap Growth IRA					Buy	4/21	L		
90. - Franklin Intermediate Fixed Income IRA					Buy	4/14	O		
91.					Sold (part)	4/14	O		
92. - Spectrum Hybrid Preferred IRA					Buy	4/14	L		
93. - Renaissance International Equity IRA					Buy	4/14	L		
94. - Alliancebernstein Large Cap Core IRA					Buy	4/21	M		
95. - Munder Mid Cap Core IRA					Buy	4/21	L		

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	
3. Value Method Codes (See Column C2)					

FINANCIAL DISCLOSURE REPORT

Page 10 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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

Lines 59-61, JP Morgan Federal MMKT Fund - Morgan, on the 2007 Report have been deleted since they appeared on the 2007 Report twice (also at lines 40-42 on the 2007 report). The fund appears at lines 39-40 on this 2008 Report.

Lines 86-88 represent security name change from Phoenix Insight Tax Exempt Bond A to Virtus Tax Exempt Bond A.

A pending claim against Worldcom is currently in litigation (02 Civ. 3288 (DLC)). The worth of that claim cannot be determined at this time.

FINANCIAL DISCLOSURE REPORT

Page 11 of 11

Name of Person Reporting

Sack, Robert D.

Date of Report

5/1/2009

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)

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