

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2006

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 05/15/2007
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 01/01/2006 to 12/31/2006
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 instructions.)

☐ NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Trustee	Mount Aloysius College, Cresson, PA
2. Trustee	Philadelphia University, Philadelphia, PA
3.	
4.	
5.	

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

☒ NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	
2.	
3.	

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FINANCIAL DISCLOSURE REPORT

Page 2 of 14

Name of Person Reporting

Smith, D. Brooks

Date of Report

05/15/2007

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of 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. 2006	Reliance Bank - Vice President, Commercial Lending - Salary	
2.		
3.		
4.		
5.		

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.	
3.	
4.	
5.	

IV. REIMBURSEMENTS - *transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)*☐ NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>
1. William and Mary Law School	2/17-5/20 Williamsburg, VA - Moot Court Competition[Travel, food and lodging]
2. Fordham Law School	3/5-3/7 New York, NY - Moot Court Competition[Travel, food and lodging]
3. Dickinson School of Law of the Pennsylvania State University	5/12-5/13 Carlisle, PA - Commencement address[Travel, food and lodging]
4. Center for International Legal Education (CILE), U. of Pittsburgh School of Law	5/21-5/23 Pristina, Kosovo - Legal education[Travel to and from Skopje, Macedonia, food and lodging in connection with meeting]
5. Allegheny County Bar Association	6/15-6/16 Farmington, PA - Meeting[Food and lodging]

FINANCIAL DISCLOSURE REPORT
Page 3 of 14

Name of Person Reporting	Date of Report
Smith, D. Brooks	05/15/2007

- | | | |
|----|--------------------------------|--|
| 6. | New York Law School | 11/9-11/10 New York, NY - Moot Court Competition[Travel, food and lodging] |
| 7. | Duquesne University Law School | 11/9-11/10 Pittsburgh, PA - Meeting[Travel, food and lodging] |

FINANCIAL DISCLOSURE REPORT
Page 4 of 14

Name of Person Reporting
Smith, D. Brooks

Date of Report
05/15/2007

V. GIFTS. *(Includes those to spouse and dependent children. See pp. 28-31 of 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 instructions.)*

☒ NONE *(No reportable liabilities.)*

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.		
2.		
3.		
4.		
5.		

FINANCIAL DISCLOSURE REPORT

Page 5 of 14

Name of Person Reporting

Smith, D. Brooks

Date of Report

05/15/2007

VII. INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of the 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. Euro Pac Growth Fd [REDACTED]	A	Dividend			Sell	07/25	J	A	
2. FNB Corp (common) [REDACTED]	A	Dividend			Sell	07/25	J	A	
3. FNB Corp (common) [REDACTED]	A	Dividend	J	T					
4. Fifth Third Bancorp [REDACTED]	A	Dividend			Sell	07/25	J	A	
5. Fifth Third Bancorp [REDACTED]	A	Dividend	J	T					
6. Fidelity Mid Cap Fd [REDACTED]	A	Dividend			Sell	07/25	J	A	
7. Fidelity Equity Growth [REDACTED]	A	Dividend			Sell	07/25	J	A	
8. Franklin Small Cap Fd [REDACTED]	A	Dividend			Sell	07/25	J	A	
9. Investment Company of America [REDACTED]	A	Dividend			Sell	07/25	J	A	
10. Master's Select Equity Fd [REDACTED]	A	Dividend			Sell	07/25	J	A	
11. Fidelity Advisor Ser IV Intermediate Bond Fund Cl C [REDACTED]	A	Distribution			Sell	07/25	J	A	
12. FerrisBakerWatts - Reserve Primary Fund [REDACTED]	A	Dividend	L	T	Buy	07/28	J		
13. FerrisBakerWatts - Reserve Primary Fund [REDACTED]	A	Dividend			Rollover	07/28			
14. American Skandia [REDACTED]	A	Dividend			Rollover	08/07			
15. AST Capital Growth Asset Allocation [REDACTED]	D	Dividend	K	T	Buy	08/07			
16. AST Balanced Asset Allocation [REDACTED]	D	Dividend	K	T	Buy	08/07			
17. M&T Bank (common) [REDACTED]	C	Dividend	M	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	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)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

FINANCIAL DISCLOSURE REPORT

Page 6 of 14

Name of Person Reporting

Smith, D. Brooks

Date of Report

05/15/2007

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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				
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18. M&T Bank 401(K)	D	Dividend	M	T					
19. Reliance bank 401(K)	A	Int./Div.	L	T					
20. Northwestern Mutual Life Ins(Universal Life Policies)	B	Dividend	M	T					
21. AKZO Nobel NV Sponsored ADR 4	A	Dividend			Sell	05/08	J		
22. AKZO Nobel NV Sponsored ADR 4					Sell	05/11	J		
23. Ameren Corp 4	A	Dividend	J	T					
24. Amsouth Bancorporation 4	A	Dividend			Sell	09/27	J	A	
25. BAA PLC Sponsored ADR 4	A	Dividend			Sell	02/17	J	A	
26. BCE Incorporated (Canada) 4	A	Dividend			Exchange	07/17	J	A	
27. BCE Incorporated Com New (Canada) (Formerly BCE Incorporate4	A	Dividend	J	T	Exchange	07/17			
28. Boots Group PLC 4	A	Dividend			Name Change	08/09			
29. Alliance Boots PLC(Formerly Boots Group PLC) 4	A	Dividend			Name Change	08/09			
30. Alliance Boots PLC 4	A	Dividend			Sell	08/14	J		
31. Consolidated Edison 4	A	Dividend	J	T					
32.	A	Dividend	J	T	Buy	07/18	J		
33. First Horizon National Corporation 4	A	Dividend	J	T					
34. H J Heinz Co 4	A	Dividend			Sell	07/31	J	A	

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
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FINANCIAL DISCLOSURE REPORT

Page 7 of 14

Name of Person Reporting

Smith, D. Brooks

Date of Report

05/15/2007

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☐ 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				
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35.					Sell	05/18	J	A	
36. Keycorp New 4	A	Dividend	J	T					
37. Loew's Corporation Carolina 4	A	Dividend			Sell	09/07	J	A	
38.					Sell	09/08	J	A	
39.					Sell	12/01	J	A	
40.					Sell	12/04	J	A	
41. Marathon Oil Corp 4	A	Dividend			Sell	07/27	J	A	
42. National City Corp 4	A	Dividend	J	T					
43.					Buy	02/17	J		
44. Nicor Inc 4	A	Dividend			Sell	12/21	J	A	
45.					Sell	12/26	J	A	
46.					Sell	12/27	J	A	
47.					Sell	12/28	J	A	
48.					Sell	12/29	J	A	
49. Nisource Inc 4	A	Dividend	J	T					
50. PNC Financial Svcs Group 4	A	Dividend			Sell	03/23	J	A	
51.					Sell	03/24	J	A	

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FINANCIAL DISCLOSURE REPORT

Page 8 of 14

Name of Person Reporting

Smith, D. Brooks

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52.					Sell	09/07	J	A	
53.					Sell	09/08	J	A	
54. Packaging Corp America 4	A	Dividend	J	T					
55. Peoples Energy Inc 4	A	Dividend	J	T					
56. Pinnacle West Cap Corporation 4	A	Dividend	J	T					
57. Progress Energy Inc 4	A	Dividend	J	T					
58. Reynolds American Inc 4	A	Dividend	J	T					
59. Scottish Pwr PLC 4	A	Dividend			Merger	05/18	J	A	
60. Scottish Pwr PLC New(Formerly Scottish Pwr PLC) 4	A	Dividend			Sell	12/08	J	A	
61. Telecom Corp NZ Ltd 4	A	Dividend	J	T					
62. UST Inc 4	A	Dividend	J	T					
63. United Utilities PLC 4	A	Dividend	J	T					
64. UPM Kymmene Corp 4	A	Dividend			Sell	07/31	J	A	
65. Carramerica Rlty Corp 4	A	Dividend			Sell	01/09	J		
66.					Sell	03/16	J	A	
67. Duke Realty Corporation 4	A	Dividend			Sell	10/26	J	A	
68.					Sell	10/27	J	A	

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FINANCIAL DISCLOSURE REPORT

Page 9 of 14

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Smith, D. Brooks

Date of Report

05/15/2007

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69.					Sell	10/30	J	A	
70.					Sell	10/31	J	A	
71. First Industrial Realty Tr 4	A	Dividend	J	T					
72. HRPT Property Trust 4	A	Dividend	J	T					
73. Health Care Property Invs 4	A	Dividend			Sell	12/14	J	A	
74.					Sell	12/15	J	A	
75.					Sell	12/18	J	A	
76. Health Care Realty Trust 4	A	Dividend	J	T					
77. Hospitality Properties Tr 4	A	Dividend	J	T	Buy	03/16	J		
78.					Buy	03/17	J		
79. Liberty Property Tr 4	A	Dividend			Sell	12/21	J	A	
80.					Sell	12/22	J	A	
81. Mack Cali Realty Corp 4	A	Dividend			Sell	10/16	J	A	
82.					Sell	10/17	J	A	
83.					Sell	10/18	J	A	
84. Nationwide Health Properties 4	A	Dividend	J	T					
85. Senior Housing Properties Tr 4	A	Dividend	J	T					

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FINANCIAL DISCLOSURE REPORT

Page 10 of 14

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Smith, D. Brooks

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86. Kimberly Clark Corporation 4	A	Dividend			Buy	04/27	J	A	
87.	A	Dividend			Buy	05/18	J	A	
88.	A	Dividend			Sell	12/14	J	A	
89.	A	Dividend			Sell	12/27	J	A	
90. Allied Cap Corporation 4	A	Dividend	J	T	Buy	12/19	J	A	
91.	A	Dividend	J	T	Buy	12/20	J	A	
92.	A	Dividend	J	T	Buy	12/21	J	A	
93.	A	Dividend	J	T	Buy	12/22	J	A	
94.	A	Dividend	J	T	Buy	12/26	J	A	
95. Coamerica Incorporated 4	A	Dividend	J	T	Buy	03/27	J	A	
96. Deutsche Telekom AG 4	A	Dividend	J	T	Buy	09/08	J	A	
97. Enel Societa Per Azioni ADR 4	A	Dividend	J	T	Buy	10/16	J	A	
98. Gallagher Arthur J & Company 4	A	Dividend	J	T	Buy	07/31	J	A	
99.	A	Dividend	J	T	Buy	08/14	J	A	
100. Kingfisher PLC 4	A	Dividend	J	T	Buy	01/11	J	A	
101.	A	Dividend	J	T	Buy	02/17	J	A	
102. Lloyds TSB Group PLC 4	A	Dividend	J	T	Buy	09/08	J	A	

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FINANCIAL DISCLOSURE REPORT

Page 11 of 14

Name of Person Reporting

Smith, D. Brooks

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103.	A	Dividend	J	T	Buy	09/28	J	A	
104. Pfizer Incorporated 4	A	Dividend	J	T	Buy	12/14	J	A	
105.	A	Dividend	J	T	Buy	12/15	J	A	
106.	A	Dividend	J	T	Buy	12/18	J	A	
107. Telecom Italia SPA New 4	A	Dividend	J	T	Buy	12/06	J	A	
108.	A	Dividend	J	T	Buy	12/08	J	A	
109. Telstra Corporation Limited 4	A	Dividend	J	T	Buy	11/01	J	A	
110. US Bancorp Del Com New 4	A	Dividend	J	T	Buy	12/21	J	A	
111.	A	Dividend	J	T	Buy	12/22	J	A	
112.	A	Dividend	J	T	Buy	12/26	J	A	
113.	A	Dividend	J	T	Buy	12/28	J	A	
114.	A	Dividend	J	T	Buy	12/29	J	A	
115. Unilever PLC 4	A	Dividend	J	T	Buy	05/11	J	A	
116.	A	Dividend	J	T	Buy	05/18	J	A	
117. Verison Communication 4	A	Dividend	J	T	Buy	12/21	J	A	
118.	A	Dividend	J	T	Buy	12/22	J	A	
119.	A	Dividend	J	T	Buy	12/26	J	A	

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	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)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

FINANCIAL DISCLOSURE REPORT

Page 12 of 14

Name of Person Reporting
Smith, D. Brooks

Date of Report
05/15/2007

VII. INVESTMENTS and TRUSTS – income, value, transactions (Includes those of the 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)
120. Wachovia Corporation 2nd New 4	A	Dividend	J	T	Buy	12/08	J	A	
121. Washington Mutual Incorporated 4	A	Dividend	J	T	Buy	09/27	J	A	
122. Weyerhaeuser Company 4	A	Dividend	J	T	Buy	07/31	J	A	
123.	A	Dividend	J	T	Buy	08/01	J	A	
124. Brandywine realty Tr Sh Ben Int 4	A	Dividend	J	T	Buy	03/23	J	A	
125.	A	Dividend	J	T	Buy	03/24	J	A	
126. Health Care Reit Incorporated 4	A	Distribution	J	T	Buy	05/11	J	A	
127. Lexinton Corporation PPTYS Tr 4	A	Dividend	J	T	Buy	08/14	J	A	
128.	A	Dividend	J	T	Buy	08/15	J	A	
129.	A	Dividend	J	T	Buy	08/16	J	A	
130. RJ Bank Deposit Program(X) 4	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	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)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

FINANCIAL DISCLOSURE REPORT

Page 13 of 14

Name of Person Reporting

Smith, D. Brooks

Date of Report

05/15/2007

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

- 1) Held in [REDACTED] self directed IRA with Ferris Baker Watts
- 2) Held in [REDACTED] self directed IRA with American Skandia
- 3) [REDACTED] self directed IRA with Ferris Baker Watts rolled over to IRA with American Skandia
- 4) Self directed IRA
- 5) Fidelity Advisors Ser IV Intermediate Bond Fd Cl C was inadvertently omitted from the listing of asset on the 2005 report. The correction is included in the current years report.

FINANCIAL DISCLOSURE REPORT

Page 14 of 14

Name of Person Reporting

Smith, D. Brooks

Date of Report

05/15/2007

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



Date

May 11, 2007

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