

AO 10
Rev. 1/2010

**FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2009**

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) GARAUFIS, NICHOLAS G.	2. Court or Organization EASTERN DISTRICT OF NEW YORK	3. Date of Report 07/30/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) UNITED STATES DISTRICT JUDGE	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2009 to 12/31/2009
7. Chambers or Office Address US DISTRICT COURT EDNY 225 CADMAN PLAZA EAST BROOKLYN, NY 11202	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. MEMBER, BOARD OF DIRECTORS	SPECTATOR PUBLISHING COMPANY, INC.
2.	
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. 02/09/1997	ABC, INC. PENSION PLAN MONTHLY SURVIVOR BENEFIT
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. 2009	ABC INC. RETIREMENT PLAN	\$13,053
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. 2009	CITIZENS BUDGET COMMISSION, FORM 1099-MISC. - CONSULTING INCOME
2. 2009	FORESTDALE, INC., FORM 1099-MISC. - CONSULTING INCOME
3. 2009	NATIONAL JAZZ MUSEUM IN HARLEM, FORM 1099-MISC. - CONSULTING INCOME
4. 2009	NEW YORK UNIVERSITY, FORM 1099-MISC - CONSULTING INCOME

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. UNITED STATES TENNIS ASSOCIATION	01/08/09 - 01/10/09	KIAWAH ISLAND, SC	CONFERENCE	TRAVEL
2. UNITED STATES TENNIS ASSOCIATION	03/14/09 - 03/17/09	PALM SPRINGS, CA	CONFERENCE	TRAVEL
3. UNITED STATES TENNIS ASSOCIATION	09/05/09 - 09/07/09	NEW YORK, NY	CONFERENCE	TRAVEL
4.				
5.				

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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 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)
1. PRIME FUND - CAPITAL RESERVES	D	Interest	N	T					
2. DAVIS NEW YORK VENTURE CLASS A	A	Dividend	K	T					
3. NEUBERGER BERMAN FOCUS FUND	A	Dividend	L	T					
4. BLACKROCK MID CAP VALUE FUND CLASS A	A	Dividend	K	T					
5. VAN KAMPEN GLOBAL FRANCHISE	A	Dividend			Sold	05/01/09	J	A	
6. FIDELITY ADVISOR DIVIDEND GROWTH	A	Dividend	J	T					
7. AIM LARGE CAP GROWTH FD CL B	A	Dividend	J	T					
8. AIM GLOBAL GROWTH FD CL B	A	Dividend	K	T					
9. ALLIANCE BALANCED SHARES CL B	A	Dividend	J	T	Sold (part)	12/14/09	J	A	
10. AMERICAN FUNDS: AMERICAN CAPITAL WORLD GROWTH & INCOME FUND	A	Dividend	K	T					
11. ISHARES TR. RUSSELL 1000	A	Dividend	K	T					
12. WALT DISNEY COMPANY CS	A	Dividend	J	T					
13. FIDELITY ADVISOR INFLATION PROTECTED BD FD CL A	A	Dividend	K	T					
14. ALLIANCE REAL ESTATE INVESTMENT FD A	A	Dividend	K	T					
15. OPPENHEIMER SM & MID CAP VALUE FUND	A	Dividend	K	T	Sold (part)	08/10/09	J	A	
16. ALLIANCE GLOBAL TECHNOLOGY A FUND	A	Dividend	J	T					
17. ALLIANCE GROWTH & INCOME FUND CL B	A	Dividend	K	T	Sold (part)	02/02/09	J	A	

1. Income Gain Codes: (See Columns H1 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	F = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$250,001 - \$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	

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Name of Person Reporting

GARAUFIS, NICHOLAS G.

Date of Report

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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. CITY OF NEW YORK DEFERRED COMPENSATION PLAN	A	Dividend	K	T					
19. EQUIVEST VARIABLE ANNUITY		None			Closed	2008			
20. ABC PENSION PLAN		None	J	T					
21. AIM GLOBAL EQUITY FUND CL B	A	Dividend	K	T					
22. ISHARES MIDCAP	A	Dividend	K	T					
23. ISHARES TRMSCI	A	Dividend	K	T					
24. ISHARES RUSSELL 2000	A	Dividend	K	T					
25. ISHARES MSCI EMERGING MKT	A	Dividend	J	T	Buy	02/03/09	J		
26. MUTUAL SERIES CLASS C	A	Dividend	J	T					
27. STANDARD & POORS DEPOSITORY RECEIPTS	A	Dividend	K	T	Sold (part)	11/17/09	J	A	
28. PIMCO TOTAL RETURN CL C	A	Dividend	K	T	Buy (add'l)	08/31/09	J		
29. OPPENHEIMER GLOBAL FUND	A	Dividend	J	T					
30. VAN KAMPEN EQUITY & INCOME	B	Dividend	L	T	Sold (part)	04/20/09	J	A	
31.					Sold (part)	06/29/09	J	A	
32.					Sold (part)	11/25/09	J	A	
33. AMERICAN FUNDS: AMERICAN BALANCED CLASS C	A	Dividend	J	T					
34. OPPENHEIMER LTD. TERM NY MUNI	A	Dividend	J	T	Sold (part)	02/05/09	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 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 \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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35. ALLIANCE BERNSTEIN LG CAP GROWTH B	A	Dividend	K	T					
36. AMERICAN FUNDS: AMERICAN CAPITAL INCOME BUILDER CLASS C	A	Dividend	J	T	Sold (part)	10/09/09	J	A	
37. ROCHESTER FD. MUNI A	A	Dividend	J	T					
38. OPPENHEIMER GLOBAL CLASS C	A	Dividend	K	T					
39. AMERICAN GROWTH FD OF AMERICA C	B	Dividend	M	T	Sold (part)	09/21/09	J	A	
40. AMERICAN FUNDS: AMERICAN HIGH INCOME CLASS FUND	B	Dividend	K	T					
41. ALLIANCE GROWTH INCOME CL A	A	Dividend	J	T					
42. AIM DEVELOPING MKT CL A	A	Dividend	K	T					
43. OPPENHEIMER INT BD FD	A	Dividend	J	T					
44. VANGUARD INT TERM TAX	A	Dividend	J	T	Sold (part)	05/13/09	J	A	
45. PIMCO COMM REAL RETURN	A	Dividend	J	T					
46. AIM CONSTELLATION FD CL B	A	Dividend			Sold	07/27/09	J	A	
47. GABELLI ASSET FUND	A	Int./Div.	J	T					
48. ROYCE TOTAL RET. INV.	A	Dividend	J	T					
49. 1 SHARES S&P SMCAP 600	A	Dividend	J	T					
50. COLUMBIA SM CAP VAL II CIA	A	Dividend	J	T					
51. EAGLE SM CAP FD A	A	Dividend	J	T					

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52. 1 SHARES RUSSELL 2000 VALUE	A	Dividend	J	T					
53. 2004 TRUST		None	J	T					
54. RYDEX SGI MGE FUTURES	A	Dividend	J	T	Buy	04/09/09	J		
55.					Buy (add'l)	05/13/09	J		
56.					Buy (add'l)	06/02/09	J		
57. PIMCO UNCONSTRAINED	A	Dividend	K	T	Buy	05/12/09	J		
58.					Buy (add'l)	06/12/09	J		
59.					Buy (add'l)	10/15/09	J		
60.					Buy (add'l)	12/29/09	J		
61. ARTISAN INTL INVESTOR	A	Dividend	J	T	Buy	11/05/09	J		
62.									

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3. Value Method Codes (See Column C2)					

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

VII, PAGE 5 OF 9, LINE 20:

ABC, INC. PENSION PLAN. I AM DESIGNATED TO RECEIVE MONTHLY PENSION BENEFITS UNDER [REDACTED] PENSION PLAN.
PART III, LINE 2 DISCLOSES INCOME RECEIVED. THESE PAYMENTS WILL CEASE UPON MY DEATH.

VII, PAGE 5 OF 9, LINE 19:

EQUIVEST VARIABLE ANNUITY WAS TERMINATED IN PRIOR YEAR AND ERRONEOUSLY INCLUDED IN 2008 FINANCIAL DISCLOSURE
REPORT AS ACTIVE ACCOUNT.

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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)

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