

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2007

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) Livingston, Debra A	2. Court or Organization U.S. Court of Appeals for the Second Circuit	3. Date of Report 05/01/2008
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) United States Circuit Judge. Active status.	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2007 to 12/31/2007
7. Chambers or Office Address United States Courthouse 500 Pearl Street New York, New York 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.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Paul J. Kellner Professor of Law	Columbia Law School
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

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

☐ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1. 2/1999	Wolters-Kluwer Law & Business/Aspen Publishers. Royalty payments on sales of co-authored case book, Comprehensive Criminal Procedure
2. 2007	See Part VIII. Additional Information.
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. 4/5/07	Wolters-Kluwer Law & Business/Aspen Publishers (royalties)	\$ 8,240.86
2. 9/30/07	" "	\$ 644.32
3. Monthly	Columbia Law School (total 2007 W-2 salary)	\$ 146,254
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.	
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.	Harvard University	11/02/07	Cambridge, MA	Speak to Law School Class	Transportation
2.	Harvard University	11/13-11/15/07	Cambridge, MA	Moot Court	Transportation, Lodging, Meals
3.					
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.)*SOURCEDESCRIPTIONVALUE

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.)*CREDITORDESCRIPTIONVALUE CODE

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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Citibank, NY, NY Checking and Savings	A	Interest	L	T					
2. CREF Stock Fund		None	K	T					
3. Fidelity Contrafund	C	Dividend	L	T	B	12.28	J		
4. Fidelity Convertible Security	B	Dividend	K	T					
5. Fidelity Growth Co	A	Dividend	K	T					
6. Fidelity Equity Income II	B	Dividend	J	T					
7. Fidelity Magellan	C	Dividend	K	T	B	5.4	J		
8.					B	12.7	J		
9. NYS Dormitory Authority Bonds	A	Interest	J	T					
10. Smith Barney Citibank Bank Dep. Program	A	Interest	J	T	Exchange Out	3.13	L		
11.					Exchange Out	3.15	K		
12. Smith Barney Money Funds Cash Port CL A	A	Interest		T	Exchange In	3.14	L		
13.					Exchange In	3.19	K		
14.					Exchange Out	5.1	K		
15.					Exchange Out	5.1	L		
16. Smith Barney Gov't Portfolio CL A	A	Interest		T	Exchange Out	5.1	J		
17. TIAA Real Estate		None	M	T	B	2.2	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.					B	2.28	J		
19.					B	4.2	J		
20.					B	4.30	J		
21.					B	5.31	J		
22. TIAA Traditional Annuity	B	Interest	K	T	B	5.31	J		
23. U.S. Savings Bonds		None	J	T					
24. Vanguard 078 Asset Allocation	A	Dividend	K	T	B	3.19	J		
25.					B	6.27	J		
26.					B	12.17	J		
27. Vanguard 081 International Growth	D	Dividend	M	T	B	12.17	J		
28.					B	12.17	J		
29. Vanguard 122 Life Growth Portfolio	B	Dividend	L	T	B	4.25	J		
30. Vanguard 163 NY Tax Exempt	A	Interest	K	T					
31. Vanguard 526 Morgan Growth Admiral	E	Dividend	N	T	B	12.17	J		
32.					B	12.17	J		
33.					B	12.17	J		
34.					B	12.17	J		

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35.					B	12.17	J		
36. Vanguard 548 Small Cap Admiral	B	Dividend	M	T	B	12.19	J		
37. Vanguard 593 Growth & Income Admiral	E	Dividend	M	T	B	6.22	J		
38.					B	12.17	J		
39.					B	12.17	K		
40.					B	12.17	J		
41. Vanguard College Mod Age-Based Mod Grwth (NY 529 plan)		None	K	T					
42. Vanguard Hi-Yield Corporate	B	Dividend	K	T					
43. Vanguard Index 500	C	Dividend	M	T					
44. Vanguard Inflation-Protected Securities	B	Dividend	K	T					
45. Vanguard REIT Index Fund	B	Dividend	K	T					
46. Vanguard Wellington Fund	D	Dividend	M	T	B	12.27	J		
47. Western Asset Government Money Market	A	Interest	J	T	Exchange In	5.1	J		
48. Western Asset Money Market	C	Interest	L	T	Exchange In	5.1	K		
49.					Exchange In	5.1	L		

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3. Value Method Codes (See Column C2)					

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

Part II. Agreements.

-I remain a member of the faculty at Columbia Law School, teaching a reduced schedule consistent with my primary obligation to the judiciary. I receive compensation that is consistent with the outside earned income limitations applicable to judges. I have an agreement with the University that while I remain a faculty member (and subject to all outside earned income and employment provisions of 5 U.S.C. 501-505 and Judicial Conference regulations thereunder), I am eligible for the Primary Tuition Scholarship (PTS), which covers 50% of the tuition at [REDACTED] grade school, as well as the college Tuition Exemption Program ([REDACTED] who attends Columbia University) or the College Tuition Scholarship ([REDACTED] who attends another college). As a faculty member I also remain eligible to live in Columbia University-owned housing (where I live now).

-I continue to have retirement accounts maintained through Columbia University, the individual holdings of which are listed under Part VII. Investments and Trusts.

-As a result of my former employment with the University of Michigan Law School, I continue to have a retirement account maintained through the University of Michigan, the holdings of which are listed under Part VII. Investments and Trusts. Contributions are of course no longer made to those retirement accounts.

Part VII. Investments and Trusts.

-Dividend or other income for CREF stock, TIAA Real Estate, Vanguard College Mod Age-Based Mod Grwth (a New York 529 college savings account) is not reported on statements. All earnings in all the funds are automatically reinvested in the respective funds.

-The exchanges among Smith Barney Government Portfolio, Smith Barney Money Funds Cash Port, Western Asset Government Money Market and Western Asset Money Market Funds are all exchanges made by Smith Barney from one to another money market fund that it controls.

-Smith Barney identified as "Brokerage 1" on Nomination FDR.

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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