

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

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) Foschio, Leslie G.	2. Court or Organization U.S. District - WDNY	3. Date of Report 05/09/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Magistrate Judge - Recall	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2011 to 12/31/2011
7. Chambers or Office Address 2 Niagara Square Room 543 Buffalo, NY 14202		
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. Insert signature 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. Trustee	Theodore Roosevelt Inaugural National Historic Site Foundation(Buffalo) (uncompensated)
2.	
3.	
4.	
5.	

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

☒ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

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. 1/11-12/11	The Principal - Company Sponsored Pension	\$8,040.00
2. 1/11-12/11	NY State - Employee Retirement System - Vested Pension Plan	\$7,814.00
3. 9/11-12/11	SUNY at Buffalo Law School - Teaching	\$2,500.00
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.	
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.				
2.				
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.)*

<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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Name of Person Reporting

Foschio, Leslie G.

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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. TD Ameritrade - IRA	D	Int./Div.	M	T					
2. -Amazon					Buy	11/21/11	J		
3. -Bank of America					Buy	12/14/11	J		
4. -Cleveland Biolabs					Buy	08/15/11	J		
5. -Energy Transfer Equity					Buy	12/14/11	J		
6. -Exelon					Buy	12/14/11	J		
7. -General Electric					Buy	11/21/11	J		
8. -Merck									
9. -Microsoft					Buy	8/4/11	J		
10. -Nokia					Buy	12/14/11	J		
11. -Pfizer					Sold	10/28/11	J	B	
12. -Proctor and Gamble					Buy	08/18/11	J		
13. -Sprint					Buy	08/04/11	J		
14. -Verizon					Buy	08/18/11	J		
15. -Yahoo					Buy	12/14/11	J		
16. -Advance Micro 8/15/12 Bonds									
17. -Alliance Health Care 12/1/16 Bonds					Buy	02/25/11	J		

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

2. Value Codes
(See Columns C1 and D3)

3. Value Method Codes
(See Column C2)

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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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. -American General 7/15/12 Bonds					Buy	09/12/11	J		
19. -Virginia State Housing Bonds									
20. -American Airline 3/4/14 Bonds									
21. -American Axle 3/1/17 Bonds									
22. -Berry Plastic Hldgs 3/1/16 Bonds									
23. -Burger King 10/15/18 Bonds					Buy	03/03/11	J		
24. -Chesapeake Energy Bonds 6.15.14					Sold	06/21/11	J	A	
25. -Boise Cascade 10/15/14 Bonds									
26. -Corrections Corp 3/15/13 Bonds									
27. -Dean Foods 10/15/17 Bonds					Buy	01/10/11	J		
28. -Eastman Kodak 06/01/21 Bonds					Sold	09/07/11	J	A	
29. -Eastman Kodak 11/15/13 Bonds					Sold	12/02/11	J	A	
30. -Exco Resources 06/15/16 Bonds									
31. -Edison Mission Energy 6/15/13 Bonds					Buy	01/10/11	J		
32. -Edison Mission Energy 6/15/16 Bonds					Buy	08/06/11	J		
33. -General Motors Acceptance 12/31/13 Bonds					Buy	09/28/11	J		
34. -Freeport McMoran 4/1/15 Bonds					Sold	09/24/11	J	A	

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

2. Value Codes
(See Columns C1 and D3)

3. Value Method Codes
(See Column C2)

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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☐ 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. -Nebraska Book 3/15/12 Bonds									
36. -Nebraska Book 12/1/11 Bonds					Sold	07/22/11	J	A	
37. -Nuveen 09/15/15 Bonds					Buy	01/24/11	J		
38. -Nuveen 11/15/15 Bonds					Buy	01/24/11	J		
39. -Poindexter 3/15/14 Bonds									
40. -RRI Energy 6/15/14 Bonds					Buy	02/25/11	J		
41. -Solo Cup 02/15/14 Bonds									
42. -Sprint Capital 3/15/32 Bonds					Sold	03/16/11	J	A	
43. -Stream Global Services 10/01/2014 Bonds					Buy	11/08/11	J		
44. -Tesoro 11/1/12 Bonds									
45. -United Maritime 06/15/15 Bonds									
46. -United Refining 8/15/12 Bonds					Sold	02/28/11	J	A	
47. -Zions Bank Corp 9/23/14 Bonds									
48. -ADP					Buy	09/29/11	J		
49.					Sold	10/12/11	J	A	
50. -Caterpillar					Buy	09/09/11	J		
51.					Sold	10/24/11	J	A	

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

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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

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

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3. Value Method Codes
(See Column C2)

Q = Appraisal
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52. -Chipotle Mexican Grill					Buy	08/18/11	J		
53.					Sold	12/27/11	J	A	
54. -F5 Networks					Buy	09/09/11	J		
55.					Sold	10/5/11	J	A	
56. -Fedex Corp					Buy	09/23/11	J		
57.					Sold	09/27/11	J	A	
58. -Google					Buy	08/15/11	J		
59.					Sold	10/10/11	J	A	
60. -Molson Coors Brewing					Buy	08/18/11	J		
61.					Sold	10/28/11	J	A	
62. -Paychex					Buy	08/15/11	J		
63.					Sold	10/10/11	J	A	
64. -Trailer Bridge 11/15/11 Bonds					Buy	01/14/11	J		
65.					Sold	12/08/11	J	A	
66. -Western Union					Buy	09/22/11	J		
67.					Sold	09/22/11	J	A	
68. First Great West Life Insurance - Whole Life		None	K	T					

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

2. Value Codes
(See Columns C1 and D3)

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69.									
70.									
71.									
72.									
73.									
74.									
75.									
76.									

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(See Columns B1 and D4)

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

My Financial Disclosure Report for Calendar Year 2010 is amended as follows:

III. Non-Investment Income**A. Filer's Non-Investment Income**

<u>Date</u>	<u>Source and Type</u>	<u>Income</u>
9-10-12/10	SUNY at Buffalo Law School - teaching	\$2,500

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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 of Leslie G. Foschio

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY 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
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544