

FINANCIAL DISCLOSURE REPORT
NOMINATION FILING

1. Person Reporting (last name, first, middle initial) D'Agostino, Mae A.	2. Court or Organization U.S. District Court, Northern District of New York	3. Date of Report 01/05/2011
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) District Judge	5a. Report Type (check appropriate type) ☒ Nomination, Date 01/05/2011 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2010 to 12/30/2010
7. Chambers or Office Address Mae A. D'Agostino D'Agostino, Krackeler, Maguire & Cardona, PC 16 Sage Estates Albany, NY 12204	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. Partner	D'Agostino, Krackeler, Maguire & Cardona, PC
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. 05/01/2008	American International Life Assurance Co., structured settlement for future payments of legal fees earned
2. 09/04/2002	American General Life Insurance Co., structured settlement for future payments of legal fees earned
3.	

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.)

DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1. 2009	Adjunct Professor Albany Law School	\$3,200.00
2. 2009	D'Agostino, Krackeler, Maguire & Cardona, PC	\$145,538.09
3. 2009	American International Life Assurance Co., Structured Settlement - att orney fee received	\$100,070.09
4. 2010	D'Agostino, Krackeler, Maguire & Cardona, PC	\$564,158.00

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.)

DATE	SOURCE AND TYPE
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.)

SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1. EXEMPT				
2				
3.				
4.				
5.				

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

☐ NONE *(No reportable gifts.)*

SOURCE	DESCRIPTION	VALUE
1. EXEMPT		
2.		
3.		
4.		
5.		

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*

☒ NONE *(No reportable liabilities.)*

CREDITOR	DESCRIPTION	VALUE CODE
1.		
2.		
3.		
4.		
5.		

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

D'Agustino, Mae A.

Date of Report

01/05/2011

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-I)	(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-I)	(5) Identity of buyer/seller (if private transaction)
1. Vanguard Prime Money Market	A	Dividend	M	T	Exempt				
2. Key Bank Money Market Checking	A	Interest	N	T					
3. Brokerage Account									
4. Fidelity Diversified International (FDIVX)	A	Dividend							
5. Spartan 500 Index Fid Adv Class (FSMAX)	A	Dividend	J	T					
6. Fidelity Cash Reserves (FDRXX)	A	Dividend	J	T					
7. Fidelity Contrafund (FCNTX)	A	Dividend	J	T					
8. Fidelity GNMA Fund (FGMNX)	A	Dividend	J	T					
9. Fidelity Low Priced Stock (FLPSX)	A	Dividend	J	T					
10. Fidelity Strategic Income (FSICX)	A	Dividend	J	T					
11. Fidelity Select Med Eqpt&Sys (FSMEX)	A	Dividend	J	T					
12. Artisan Mid Cap Value (ARTQX)	A	Dividend	J	T					
13. Columbia Val and Restruct Cl Z (UMBIX)	A	Dividend	J	T					
14. Oakmark Internl Small Cap I (OAKFX)	A	Dividend	J	T					
15. Perkins Mid Cap Value CL J (JMCVX)	A	Dividend	J	T					
16. Janus Overseas Fund CL T (JAOSX)	A	Dividend	J	T					
17. PIMCO Low Dur Cl D (PLDDX)	A	Dividend	J	T					

1. Income Gain Codes: (See Columns B1 and B4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P = \$15,000,001 - \$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 H = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P = \$1,000,001 - \$5,000,000 T = Assessed W = Estimated	D = \$5,001 - \$15,000 I2 = More than \$5,000,000 M = \$100,001 - \$250,000 R2 = \$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	D. 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. PIMCO Invest Gr Corp Bond D (PBDDX)	A	Dividend	J	T					
19. PIMCO Glob Strat Bnd Cl. D (PGSDX)	A	Dividend	J	T					
20. SSGA Emerging Markets (SSEMX)	A	Dividend	J	T					
21. Core Money Market	A	Interest							
22. 401(k) Plan #1									
23. -MFS Bond Fund - A	A	Dividend							
24. -MFS Total Return Fund - A	A	Dividend							
25. -MFS Money Market Fund	A	Dividend							
26. -MFS High Income Fund - A	A	Dividend							
27. -Massachusetts Investors Trust - A	A	Dividend							
28. -MFS International Value - A	A	Dividend							
29. -MFS Core Equity Fund - A	A	Dividend							
30. -MFS Conservative Alloc Fd - A	A	Dividend							
31. -MFS Growth Fund - A	A	Dividend							
32. -MFS Mid Cap Value Fund - A	A	Dividend							
33. -MFS International New Discovery - A	A	Dividend							
34. -MFS Global Equity Fund - A	A	Dividend							

1. Income Codes
(See Columns J1 and D1)

2. Value Codes
(See Columns J1 and D3)

3. Value Method Codes
(See Column D2)

A = \$1,000 or less
F = \$50,001 - \$100,000
I = \$15,000 or less
N = \$250,001 - \$500,000
P3 = \$25,000,001 - \$50,000,000
Q = Appraised
D = 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
J11 = \$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
J12 = 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

VII. INVESTMENTS and TRUSTS – income, value, transactions (Includes those of spouse and dependent children; see pp. 34-50 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. 401(k) Plan #2									
36. -JPM Mrtg Bkd Sel	A	Dividend	M	T					
37. -Principal Sm Cap S&P 600 Indx Inst	A	Dividend	K	T					
38. -RdgWrth Ttl Rtn Bd I	A	Dividend	M	T					
39. -MSIF MdCap Gr I	A	Dividend	K	T					
40. -Thntrg Intl Val I	A	Dividend	L	T					
41. -Vngrd Sel Val Inv	A	Dividend	K	T					
42. -DWS Inst Eq 500 Indx Inst	A	Dividend	L	T					
43. -Vngrd Trgt Rtnnt 2010	A	Dividend	L	T					
44. -Mortg Stable Val VI	A	Dividend	M	T					
45. -Vngrd Divd Gr Inv	A	Dividend	L	T					
46. Vanguard LifeStrategy Mod Gr - IRA	A	Dividend	J	T					
47. Vanguard Gr & Inc - Custodial Acct	A	Dividend	J	T					
48. Prudential Annuity (inherited)	D	Interest	L	T					

1. Income Code:

(See Columns D1 and D4)

2. Value Code:

(See Columns C1 and C3)

3. Value Method Code:

(See Column C2)

A = \$1,000 or less

F = \$50,001 - \$100,000

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

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 = \$25,001 - \$50,000

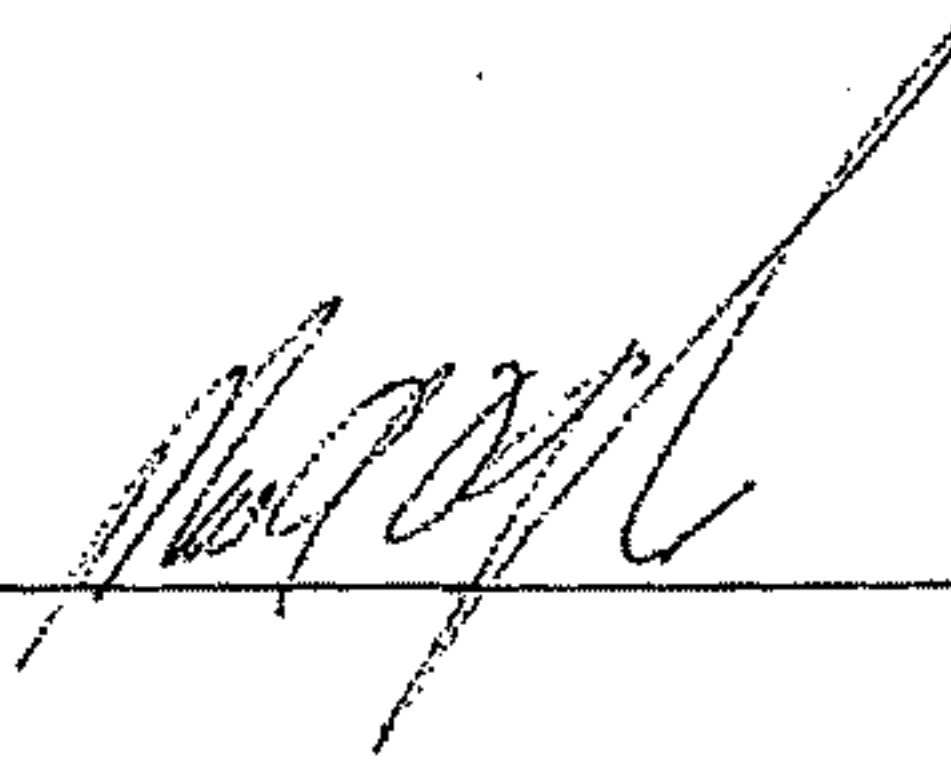
VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of Report.)*

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 STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks – see schedule		516	607	Notes payable to banks-secured			
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities—see schedule		996	172	Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable—primary residence		91	224
Real estate owned—see schedule		540	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		50	000				
Cash value-life insurance							
Other assets itemize:							
- Annuity		87	276				
- Structured settlements – see schedule		166	400				
				Total liabilities		91	224
				Net Worth	2	265	231
Total Assets	2	356	455	Total liabilities and net worth	2	356	455
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor on leases or contracts				Are any assets pledged? (Add schedule)	NO		
Legal Claims				Are you a defendant in any suits or legal actions?	NO		
Provision for Federal Income Tax				Have you ever taken bankruptcy?	NO		
Other special debt							