

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2017

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) Sack, Robert D.	2. Court or Organization US Court of Appeals, 2d Cir.	3. Date of Report 11/27/2018
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) US Circuit Judge (Senior)	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☒ Amended Report	6. Reporting Period 01/01/2017 to 12/31/2017
7. Chambers or Office Address 40 Foley Square New York, NY 10007		
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.		

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. Lecturer in Law and Adjunct Professor	Columbia Law School
2. Member, Columbia Board of Visitors	Columbia Law School
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. 9/3/98	Practising Law Institute and Robert D. Sack, publication of 3rd edition of treatise on defamation law; royalty 15% of net receipts
2. 1998	Gibson, Dunn & Crutcher LLP Retirement Agreement, Gibson Dunn & Crutcher LLP and Robert D. Sack; Terms: \$6,000 per month/life, no increase, decrease or cap
3. 2010	Practising Law Institute and Robert D. Sack, publication of 4th edition of treatise on defamation law; royalty 15% of net receipts

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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. 2017	Practising Law Institute Book Royalties	\$24,184.67
2. 2017	Gibson, Dunn & Crutcher LLP Retirement Plan	\$72,000.00
3. 2017	Lecturer in Law, Columbia Law School	\$11,805.52
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. 2017	Thomson Reuters Royalties-West Publishing Corporation
2. 2017	Bard College
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. University of Rochester	10/14/2017	Rochester, NY	Panel participation.	Airfare
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.	Citibank Mastercard	Credit Card	J
2.	American Express	Credit Card	J
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. JPMORGAN CHASE ACCOUNTS	A	Interest	L	T					
2. OPP ADVANTAGE BANK DEPOSIT	A	Interest	M	T					
3. OPP AMERICAN INTL GROUP INC COM NEW	A	Dividend	J	T					
4. OPP APPLE INC	A	Dividend	K	T					
5. OPP BP PLC SPONSORED ADR	A	Dividend	J	T					
6. OPP BANK AMER CORP	A	Dividend	J	T					
7. OPP BOEING CO	B	Dividend	L	T					
8. OPP EXXON MOBIL CORP	B	Dividend	J	T	Buy	11/07/17	J		
9. OPP DEUTSCHE STRATEGIC HIGH YIELD TAX-FREE FUND-INST	A	Int./Div.	K	T					
10. OPP IVY MUNICIPAL HIGH INCOME FUND CLASS I	A	Int./Div.	J	T					
11. OPP NUVEEN HIGH YIELD MUNICIPAL BD FD R	B	Int./Div.	K	T					
12. OPP ETF MANAGERS TR PRIME CYBR SCRTY	A	Dividend	K	T	Buy (add'l)	06/28/17	J		
13. OPP ISHARES TR US FIN SVC ETF	A	Dividend	K	T	Buy	11/07/17	K		
14. OPP ISHARES TR INTL SEL DIV ETF	A	Dividend	J	T	Buy	11/07/17	J		
15. OPP ISHARES TR US AER DEF ETF	A	Dividend	K	T	Buy (add'l)	06/28/17	J		
16. OPP SPDR SERIES TRUST AEROSPACE DEF	A	Dividend	K	T	Buy (add'l)	06/28/17	J		
17. OPP SPDR SERIES TRUST S&P REGL BKG	A	Dividend	K	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 P3 ~\$250,001 - \$500,000,000	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 \$5,000,000,000	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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18. OPP SELECT SECTOR SPDR TR SBI INT-FINL	A	Dividend	K	T					
19. OPP SELECT SECTOR SPDR TR RL EST SEL SEC	A	Dividend			Sold	11/07/17	J	A	
20. OPP APOLLO SR FLOATING RATE FD INC	A	Dividend	J	T	Buy	06/28/17	J		
21. OPP COHEN & STEERS MLP INC & ENRGY COM SHS	A	Distribution	J	T					
22. OPP NUVEEN NASDAQ 100 DYNAMIC OVER COM SHS	B	Dividend	K	T					
23. OPP NUVEEN DOW 30 DYN OVERWRITE	B	Dividend	K	T					
24. OPP TEKLA LIFE SCIENCES INVS SH BEN INT	B	Dividend	K	T					
25. OPP TORTOISE ENERGY INDEPENDENC FD	C	Distribution	K	T	Buy (add'l)	11/07/17	K		
26.					Sold (part)	12/26/17	K		
27. OPP NUVEEN NEW YORK AMT QLT MUNICP TAX FREE COM	A	Int./Div.	J	T					
28. OPP NUVEEN INTER DURATION MN TMFD TAX FREE COM	B	Int./Div.	K	T					
29. OPP NUVEEN MUNICIPAL CREDIT INC FD TAX FREE COM SH BEN INT	B	Int./Div.	K	T					
30. OPP NEW YORK ST PWR AUTH REV NY MBIA 4% DUE 11/15/20 B/E REV OID	B	Interest	K	T					
31. OPP NEW YORK N Y NY 4% DUE 02/01/22 B/E UGO OID	C	Interest	L	T					
32. OPP NEW YORK N Y CITY MUN WTR FIN NY 3.625% DUE 06/15/25 B/E REV OID	A	Interest	K	T					
33. Northwestern Mutual Whole Life Insurance Policy	D	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 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 \$50,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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34. Guardian Whole Life Insurance Policy	D	Dividend	L	T					
35. AMERIPRISE INSURED MONEY MARKET ACCTS	A	Interest	N	T					
36. ADV-EATON VANCE AMT FREE MUNICIPAL	C	Dividend	L	T					
37. ADV-FIDELITY ADVISOR FLOATING RATE HIGH INC CL I	B	Dividend	L	T					
38. ADV-HARTFORD CORE EQUITY CL I	A	Dividend	L	T					
39. ADV-CATALYST HEDGED FUTURES STRATEGY CL A	C	Dividend			Sold	03/23/17	K		
40. ADV-PIONEER AMT FREE MUNICIPAL CL Y	B	Dividend	L	T					
41. ADV-TAX EXEMPT BOND AMERICA CL A	C	Dividend			Sold	07/11/17	L		
42. ADV-VIRTUS TAX EXEMPT BOND CL I	B	Dividend	L	T					
43. ADV-POWERSHARES S&P 500 LOW VOLATILITY ETF	B	Dividend	L	T					
44. ONE-INVESCO DIVERSIFIED DIVIDEND CL Y	B	Dividend	L	T	Buy (add'l)	03/14/17	K		
45. ONE-INVESCO MUNICIPAL INCOME CL Y	B	Dividend	K	T					
46. ONE-BLACKROCK EQUITY DIVIDEND INSTL CL	B	Dividend	L	T					
47. ONE-BLACKROCK MULTI ASSET INCOME INSTL CL	B	Dividend	K	T	Buy	03/14/17	K		
48. ONE-FIDELITY ADVISOR HEALTH CARE CL I	A	Dividend	K	T					
49. ONE-FIDELITY ADVISOR NEW INSIGHTS CL I	A	Dividend	L	T					
50. ONE-GABELLI EQUITY INCOME CL A	C	Dividend			Sold	07/12/17	L	E	

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51. ONE-FIRST EAGLE GLOBAL CL I	A	Dividend	K	T	Buy	03/14/17	K		
52. ONE-HARTFORD BALANCED INCOME CL I	B	Dividend	K	T					
53. ONE-LORD ABBETT SHORT DURATION INCOME CL F	B	Dividend	K	T	Buy	03/15/17	K		
54. ONE-MFS MUNICIPAL LIMITED MATURITY CL I	B	Dividend	L	T					
55. ONE-EVENTIDE GILEAD INSTL CL	A	Dividend	K	T					
56. ONE-OPPENHEIMER SENIOR FLOATING RATE CL Y	B	Dividend	K	T	Buy	03/14/17	K		
57. ONE-TAX EXEMPT BOND AMERICA CL A	C	Dividend			Sold	07/11/17	L		
58. CASH RESERVE CERTIFICATE 848001	A	Interest	L	T					
59. CASH RESERVE CERTIFICATE 905001	A	Interest	L	T					
60. RiverSource Retirement Advisor 4 Advantage VA-Annuity	F	Interest	O	T					
61. Strategic Portfolio Service Advantage, IRA									
62. -BLACKROCK MULTI ASSET INCOME INSTL CL	B	Dividend	K	T	Buy	05/17/17	K		
63. -COLUMBIA BALANCED INSTL CL	A	Dividend	K	T	Buy	05/17/17	K		
64. -COLUMBIA EMERGING MARKETS INSTL CL	A	Dividend	J	T	Buy	05/17/17	J		
65. -FIDELITY ADVISOR STRATEGIC INCOME CL I	A	Dividend	K	T	Buy	05/17/17	K		
66. -FIRST EAGLE GLOBAL CL I	A	Dividend	K	T	Buy	05/17/17	J		
67. -OPPENHEIMER SENIOR FLOATING RATE CL Y	A	Dividend	J	T	Buy	05/17/17	J		

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68. -SPDR S&P 500 ETF	A	Dividend	K	T	Buy	05/17/17	K		
69. Columbus Circle LCG, IRA	B	Dividend	M	T					
70. Lazard IA, IRA	C	Dividend	M	T					
71. Alta LCC, IRA	C	Dividend	N	T					
72. VICTORY MUNDER MCC, IRA	B	Dividend	M	T					
73. ACC Flexible Savings Certificate, IRA	A	Interest			Redeemed	04/26/17	M		

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

A pending claim against Worldcom is currently in litigation (02 Civ. 3288 (DLC)). The worth of that claim cannot be determined at this time.

A pending claim against American International Group, Inc. is currently in litigation (04 Civ. 8141 (DAB) (AJP)). The worth of that claim cannot be determined at this time.

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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: s/ Robert D. Sack

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