

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) Gardner, James Knoll	2. Court or Organization Eastern District of PA	3. Date of Report 07/13/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge - Active	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 1/1/2011 to 12/31/2011
7. Chambers or Office Address Edward N. Cahn U.S. Courthouse 504 W. Hamilton Street, #4701 Allentown, PA 18101		
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.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Officer, Director	Allentown Symphony Association
2. Director	Boys and Girls Club of Allentown, Inc.
3. Director	Police Athletic League, Inc.
4. General Partner (passive investment in Subchapter "S" Corporation)	1/6 share of Rental Property #1
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. 2002	State Employees Pension Fund; retirement pension for former judicial position, includes medical insurance and long-term care benefits, no control
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. 2011	State Employees Pension Fund reported in Part II (fixed benefits from a vested pension plan)	\$67,455.60
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. 2011	self-employed piano teacher
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.	Prudential Asset Resources (See Part VIII)	1/6 share Mortgage on Rental Property #1, Torrence, California (Part VII, line 1)	O
2.	Chase Card Services	Credit Card (Visa)	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. Rental Property #1, Torrence, California (1997 \$533,333)	E	Rent	O	Q					
2. Time Share #1, Williamsburg, Virginia (1999 \$18,700)	C	Rent	K	R					
3. Sovereign Bank Accounts	A	Interest	L	T					
4. Brokerage Account #1:									
5. CITIBANK NA S.D. - Bank Dep. Program (Y) (See Part VIII)									
6. CITIBANK NA - Bank Deposit Program (X)	A	Interest	J	T					
7. LM Clearbridge Apprec. Fd. Cl. A - Mut. Fd. (See Part VIII)	A	Dividend	J	T					
8. Calamos Convertible & High Income Fund - Closed End Fund	A	Dividend	J	T					
9. Wells Fargo & Company - Common Stock	A	Dividend	J	T					
10. Wells Fargo Company - Corporate Bond	A	Interest			Matured	08/01/11	J		N/A
11. Calamos Strategic Total Return Fund - Closed End Fund	A	Dividend	J	T					
12. Eaton Vance Tax Eqty. Inc. Fd. - Closed End Fund	B	Dividend	J	T					
13. NuStar Energy L.P. - Common Stock	B	Int./Div.	J	T					
14. BT Group PLC ADR - USD - Common Stock	A	Dividend	J	T					
15. BlackRock Global Alloc. Fd. - Mutual Fund	A	Dividend	J	T					
16. Intel Corporation - Common Stock	A	Dividend	K	T					
17. McDonalds Corporation - Common Stock	A	Dividend	J	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	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	
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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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 I (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. Teva Pharmaceutical Industries - Common Stock	A	Dividend	J	T					
19. Baron Growth Fund-Mutual Fund	A	Dividend	J	T	Sold (part)	02/10/11	J		N/A
20.					Buy (add'l)	08/02/11	J		N/A
21.					Sold (part)	11/04/11	J		N/A
22. Eaton Vance Large-Cap Value Fund Class A - Mutual Fund	A	Dividend	J	T	Sold (part)	02/10/11	J		N/A
23.					Sold (part)	08/02/11	J		N/A
24.					Sold (part)	11/04/11	J		N/A
25. Janus Forty Class S - Mutual Fund	A	Dividend	J	T	Buy (add'l)	02/10/11	J		N/A
26.					Buy (add'l)	08/02/11	J		N/A
27.					Sold (part)	11/04/11	J		N/A
28. Lazard Emerging Markets Port Fund - Mutual Fund	A	Dividend	J	T	Sold (part)	02/10/11	J		N/A
29.					Sold (part)	08/02/11	J		N/A
30.					Buy (add'l)	11/04/11	J		N/A
31. Pimco Total Return Fund Class D - Mutual Fund	A	Dividend	J	T	Buy (add'l)	02/10/11	J		N/A
32.					Buy (add'l)	08/02/11	J		N/A
33.					Buy (add'l)	11/04/11	J		N/A
34. Pimco Commodity Real Return Fund Class D - Mutual Fund	A	Dividend	J	T	Sold (part)	02/10/11	J		N/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 \$50,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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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				
	(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)
35.					Buy (add'l)	08/02/11	J		N/A
36.					Buy (add'l)	11/04/11	J		N/A
37. T Rowe Int'l Bond Fund - Mutual Fund	A	Dividend	J	T	Buy (add'l)	02/10/11	J		N/A
38.					Buy (add'l)	08/02/11	J		N/A
39.					Sold (part)	11/04/11	J		N/A
40. Royce Premier Fund - Mutual Fund	A	Dividend	J	T	Sold (part)	02/10/11	J		N/A
41.					Sold (part)	08/02/11	J		N/A
42.					Sold (part)	11/04/11	J		N/A
43. West Perry Schl. Dist. Bond - Municipal Bond	A	Interest	K	T					
44. Johnson & Johnson - Common Stock	A	Dividend	J	T					
45. Magellan Midstream Partners LP - Common Stock	A	Dividend	J	T					
46. Microsoft Corp. - Common Stock	A	Dividend	J	T					
47. DWS Floating Rate Fund Class C - Mutual Fund	A	Dividend	J	T					
48. DWS Municipal Bond Fund Class C - Mutual Fund	A	Interest	J	T					
49. Mainstay Corp. Bd. Fd. Cl. A - Mut. Fd. (Y) (See Part VIII)									
50. Western Asset Money Market Fund Class A - Mutual Fund (X)	A	Dividend	J	T	Buy (add'l)	02/10/11	J		N/A
51.					Sold (part)	03/11/11	J		N/A

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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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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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52.					Sold (part)	06/13/11	J		N/A
53.					Buy (add'l)	08/02/11	J		N/A
54.					Sold (part)	08/04/11	J		N/A
55.					Sold (part)	09/14/11	J		N/A
56.					Buy (add'l)	11/04/11	J		N/A
57.					Sold (part)	12/13/11	J		N/A
58. End of Brokerage Account #1									
59. Brokerage Account #2 (Custodial Account #1) redeemed 5/20/04									
60. Brokerage Account #3 (Custodial Account #2) redeemed 8/28/07									
61. Brokerage Account #4:									
62. Johnson & Johnson - Common Stock	A	Dividend			Sold	06/09/11	J		N/A
63. LM Clearbridge Apprec. Fd. Cl. A-Mut. Fund (See Part VIII)	A	Dividend	J	T					
64. Eaton Vance Global Return Fund Class C - Mutual Fund	A	Dividend	J	T					
65. Intel Corporation - Common Stock	A	Dividend	J	T	Buy	06/10/11	J		N/A
66. End of Brokerage Account #4									
67. Time Share #2, Williamsburg, Virginia (2002 \$19,900)	C	Rent	K	R					
68. IRA #2									

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
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69. Royce Total Return Fund Consultant - Mutual Fund	A	Dividend	K	T					
70. Invesco Van Kampen Eq.& Inc. Fd. Cl. C - Mutual Fund	A	Dividend	J	T					
71. American Funds-Growth Fund of America Class C - Mutual Fund		None	K	T					
72. Oppenheimer Developing Markets Fund Class C - Mutual Fund	A	Dividend	J	T					
73. Lincoln National Life Insurance Co - Annuity		None	L	T					
74. CITIBANK NA S.D. Bank Dep. Program (Y) (See Part VIII)									
75. Cisco Systems Inc. - Common Stock		None			Sold	01/28/11	J		N/A
76. BlackRock Global Allocation Fund Inc. - Mutual Fund	A	Dividend	K	T					
77. Putnam Asset Allocation Balanced Class C - Mutual Fund	A	Dividend	J	T					
78. Consolidated Edison Inc. - Common Stock	A	Dividend	J	T					
79. GNMA REMIC-Series 2004-75 Class 75-NG-Asset Backed Security	A	Interest	J	T					
80. Ginnie Mae Series 2009-88 Class KD-Asset Backed Security	A	Interest			Redeemed	11/21/11	J		N/A
81. Bond Fund of America Class C - Mutual Fund	A	Dividend			Sold	01/28/11	K		N/A
82. GNMA REMIC-Series 2010-59 Class CA-Asset Backed Security	A	Interest	J	T					
83. BlackRock Equity Dividend Fund Class C - Mutual Fund	A	Dividend	J	T	Buy	01/28/11	J		N/A
84. Ginnie Mae Series 2011-18 Class GA - Asset Backed Security	B	Interest	K	T	Buy	01/28/11	K		N/A
85. CITIBANK NA - Bank Deposit Program (X)	A	Interest	K	T					

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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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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)
86. End of IRA #2									
87. New York Life Whole Life	A	Dividend	L	T					
88. Brokerage Account #5 - redeemed 04/22/10									
89. KNBT Bank Accounts	A	Interest	K	T					
90. Rental Property #2, Lehigh County, PA (2006 \$250,000)	D	Rent	M	R					
91. Fun \$ Investment Club - Partnership	A	Int./Div.	J	T					
92. U.S. Savings Bonds	A	Interest	J	T					
93. Fidelity Mutual Life Insurance Co. - whole life	A	Dividend	J	T					
94. Time Share #3, Williamsburg, Virginia (2011 \$19,095)	C	Rent	K	R	Buy	03/30/11	J		N/A
95. (See Part VIII)					Buy (add'l)	07/28/11	J		N/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
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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

1. Re Part VII, Line 5: The CITIBANK NA South Dakota - Bank Deposit Program was first reported in Part VII, Line 6 of the calendar year 2006 Financial Disclosure Report (Page 5 of 11), and reported in each Financial Disclosure Report thereafter through and including the 2010 Financial Disclosure Report (where it was reported in Part VII, Line 5 (Page 4 of 11)). On June 17, 2011 all funds were withdrawn from the CITIBANK NA South Dakota - Bank Deposit Program and transferred to, and reinvested in, the CITIBANK NA - Bank Deposit Program. I inserted a parenthetical "(Y)" to indicate that this previously reportable asset (CITIBANK NA South Dakota - Bank Deposit Program) is otherwise not reportable in 2011 because it had no value on December 31, 2011 and because it did not meet the \$200 income threshold in 2011.

The CITIBANK NA - Bank Deposit Program is reported in Part VII, Line 6 (Page 4 of 11) of the within 2011 Financial Disclosure Report because it met the value threshold on December 31, 2011 (although it did not meet the 2011 income threshold).

2. Re Part VII, Line 7: The abbreviation "LM" means Legg Mason.

3. Re Part VII, Line 49: The Mainstay Corporate Bond Fund Class A - Mutual Fund reported in Part VII, Line 49 (Page 6 of 11) was purchased in 2009. However, as reported in my October 6, 2011 Amendment of Financial Disclosure Report for Calendar Year 2010, the asset became reportable for the first time in calendar year 2010 when the year-end value of the asset exceeded the \$1,000 reporting threshold for the first time. Therefore, I included this asset in Part VII, Line 38, on Page 6 of 11 of the 2010 Financial Disclosure Report dated July 15, 2011. In my October 6, 2011 Amendment of the 2010 report, I amended my 2010 report to insert a parenthetical "(X)" in Part VII, Line 38, Page 6 of 11, alongside the name of the asset, Mainstay Corporate Bond Fund Class A - Mutual Fund, to reflect that the asset was exempt from prior disclosure.

This asset has never met the \$200 annual income threshold. As of December 31, 2011, the asset has fallen below the \$1,000 value threshold. Therefore, the asset is not reportable in the within Financial Disclosure Report for calendar year 2011. I have reflected that by listing this asset in Part VII, Line 49 on Page 6 of 11 of the within report together with a parenthetical "(Y)".

4. Re Part VII, Line 63: The abbreviation "LM" means Legg Mason.

5. Re Part VII, Line 74: The CITIBANK NA South Dakota - Bank Deposit Program first became reportable as an asset in IRA #2 in calendar year 2007. (See Part VII, Line 65, Page 7 of 10 of the Financial Disclosure Report for Calendar Year 2007.) It was last reported in Part VII, Line 57, Page 7 of 11 in the Financial Disclosure Report for Calendar Year 2010. This previously reportable asset was not reportable as an asset in IRA #2 in calendar year 2011 because it had no value on December 31, 2011 and because it did not meet the \$200 income threshold in calendar year 2011.

On June 30, 2011 all funds were withdrawn from the IRA #2 CITIBANK NA South Dakota - Bank Deposit Program and transferred to, and reinvested in, the IRA #2 CITIBANK NA - Bank Deposit Program. I inserted a parenthetical "(Y)" in Part VII, Line 74 on Page 8 of 11 of the within report to indicate that this previously reportable asset (CITIBANK NA South Dakota - Bank Deposit Program) is otherwise not reportable in 2011 because it had no value on December 31, 2011 and because it did not meet the 2011 \$200 income threshold in 2011.

The IRA #2 CITIBANK NA - Bank Deposit Program is reported in Part VII, Line 85 on Page 8 of 11 of the within 2011 Financial Disclosure Report because it met the \$1,000 value threshold on December 31, 2011 (although it did not meet the 2011 income threshold). I added a parenthetical "(X)" in Part VII, Line 85, Page 8, alongside the name of the asset, CITIBANK NA - Bank Deposit Program, to reflect that the asset was exempt from prior disclosure.

6. Re Part VII, Lines 94 and 95: In 2011 eight beneficial interests were purchased in two installments in a real estate trust, which interests constitute timeshare estates. As reflected in Column A of Part VII, Line 94 on Page 9 of 11 of the within 2011 Financial Disclosure Report, the total purchase price of Timeshare #3 was \$19,095. The purchase price was paid in installments of \$695 on March 30, 2011 (as reflected in Line 94, Section D) and \$18,400 on July 28, 2011 (as reflected in Line 95, Section D).

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Gardner, James Knoll

Date of Report

07/13/2012

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/ **James Knoll Gardner**

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
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