

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) Nygaard, Richard L.	2. Court or Organization Third Circuit Court of Appeals	3. Date of Report 05/08/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Senior U.S. Circuit Judge	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 17 South Park Row Suite B-230 Erie, PA 16501		
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.		
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. 2011	Pennsylvania State Retirement System	\$16,542
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.	
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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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. Erie Federal Credit Union	A	Interest	J	T					
2. Savings Account at Los Angeles F&A Credit Union	A	Interest	J	T					
3. Checking/Saving Account at PNC, North East, PA	B	Interest	J	T					
4. Real Estate, Mina Twnshp, Chautauqua County, NY \$153,700		None	M	S					
5. Safety Kleen - Stock		None	J	T					
6. Jetronic Industries - Stock		None	J	T					
7. Shares GCA		None	J	T					
8. Shares TIVO		None	J	T					
9. Shares SMOD		None			Sold	01/26/11	J	A	
10. Shares MU		None			Sold	01/22/11	J	A	
11. Shares CSIQ		None			Sold	01/23/11	J	A	
12. Shares PCX		None			Sold	03/19/11	J	A	
13. Shares CBEH		None	J	T					
14. Shares APWR		None			Sold	04/27/11	J	A	
15. Shares LDK		None			Sold	01/22/11	J	A	
16. Shares SOL		None			Sold	02/19/11	J	A	
17. Shares LNG		None			Sold	01/03/11	J	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 H = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 I = More than \$5,000,000	E = \$15,001 - \$50,000 J = More than \$50,000,000
2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$250,000,001 - \$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	
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. ☐ Shares BYD		None			Sold	01/03/11	J	A	
19. ☐ Shares MGM		None			Sold	01/22/11	J	A	
20. LLEN		None	J	T	Buy	01/15/11	J		
21. PWER		None	J	T	Buy	11/02/11	J		
22. MIPS		None	J	T	Buy	02/14/11	J		
23. ZINC		None	J	T	Buy	03/03/11	J		
24. CROX 3 March \$27 Puts		None			Sold	10/20/11	J		
25. RIMM 10 January 2,013 \$20 Puts		None			Sold	11/10/11	J		
26. FL 7 January \$25 Puts		None			Sold	12/19/11	J		
27. SODA 10 January \$22.5 Puts		None			Sold	12/19/11	J		
28. PNC 3 January \$50 Puts		None			Sold	12/21/11	J		
29. JCP 7 January \$29 Puts		None			Sold	12/21/11	J		
30. USB 6 January \$24 Puts		None			Sold	12/21/11	J		
31. M 5 January \$29 Puts		None			Sold	12/21/11	J		
32. KEG 10 January \$25 Puts		None			Sold	12/22/11	J		
33. CAT 7 January \$82.50 Puts		None			Sold	12/22/11	J		
34. CAT 7 January 80 Puts		None	J	T	Buy	12/22/11	J		

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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 \$50,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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35. POT 10 January \$38.33 Puts		None			Sold	12/22/11	J		
36. POT 10 January \$36.67 Puts		None	J	T	Buy	12/22/11	J		
37. F 10 January \$10 Puts		None			Sold	12/22/11	J		
38. FCX 5 January \$32 Puts		None			Sold	12/22/11	J		
39. AVEO 10 January \$15 Puts		None			Sold	12/23/11	J		
40. BAC 10 January \$5 Puts		None			Sold	12/23/11	J		
41. WAT 3 January \$70 Puts		None			Sold	12/23/11	J		
42. WAT 3 January \$65 Puts		None	J	T	Buy	12/23/11	J		
43. V 7 January \$95 Puts		None			Sold	12/27/11	J		
44. V 7 January \$92.50 Puts		None	J	T	Buy	12/27/11	J		
45. SLB 7 January \$62.50 Puts		None			Sold	12/27/11	J		
46. SLB 7 January \$60 Puts		None	J	T	Buy	12/27/11	J		
47. NKE 7 January \$92.50 Puts		None			Sold	12/27/11	J		
48. NKE 7 January \$90 Puts		None	J	T	Buy	12/27/11	J		
49. TGT 10 January \$50 Puts		None			Sold	12/27/11	J		
50. TGT 10 January \$49 Puts		None	J	T	Buy	12/27/11	J		
51. DVN 10 January \$57.50 Puts		None			Sold	12/27/11	J		

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52. DVN 10 January \$55 Puts		None	J	T	Buy	12/27/11	J		
53. AVEO 10 January \$20 Calls		None			Sold	12/29/11	J		
54. AVEO 10 January \$22.50 Calls		None	J	T	Buy	12/29/11	J		
55. X 10 January \$19 Puts		None			Sold	12/20/11	J		
56. X 10 January \$21 Puts		None	J	T	Buy	12/29/11	J		
57.									
58.									
59.									
60.									
61.									
62.									
63.									
64.									
65.									

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

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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/ **Richard L. Nygaard**

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