

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2012

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) Gerber, Robert E.	2. Court or Organization US Bankruptcy Court SDNY	3. Date of Report 06/16/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) US Bankruptcy Judge - Active	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2012 to 12/31/2012
7. Chambers or Office Address Alexander Hamilton U.S. Custom House One Bowling Green Ste 528 New York, NY 10004-1408		
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.	Director	American College of Bankruptcy
2.	Director	American Bankruptcy Institute
3.	Member of Board of Governors	National Conference of Bankruptcy Judges
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.	
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.)*

DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1. 2012	Matthew Bender & Co. (LexisNexis), compensation for chapters written as contributing author to Collier on Bankruptcy	\$3,520.00
2. 2012	Hudson Valley Bankruptcy Bar Assn, lecture	\$100.00
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.)*

DATE	SOURCE AND TYPE
1. 2012	Self-employed writer
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.	Eastern District of Pennsylvania Bankruptcy Conference	1/19/12-1/20/12	Philadelphia, PA	Speaker at Program	Transportation, Lodging, Food
2.	American Bankruptcy Institute	2/2/12-2/4/12	San Juan, PR	Speaker at Program	Transportation, Lodging, Food
3.	Pennsylvania Bar Institute	3/13/12-3/14/12	Philadelphia, PA	Speaker at Program	Transportation, Lodging, Food
4.	American College of Bankruptcy	3/15/12-3/17/12	Washington, DC	Meeting and Board Meeting	Transportation, Lodging, Food
5.	National Conference of Bankruptcy Judges	3/19/12-3/20/12	Miami, FL	Board Meeting	Transportation, Lodging, Food

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6.	Turnaround Management Association	4/3/12-4/4/12	Atlanta GA	Speaker at Program	Transportation, Lodging, Food
7.	American Bankruptcy Institute	4/19/12-4/22/12	National Harbord, MD	Board and Committee Meetings, Speaker at Program	Transportation, Lodging, Food
8.	American Bankruptcy Institute	7/12/12-7/15/12	Bretton Woods, NH	Speaker at Program	Transportation, Lodging, Food
9.	Midwest Regional Bankruptcy Seminar	8/17/12-8/19/12	Cincinnati, OH	Speaker at Program	Transportation, Lodging, Food
10.	Hudson Valley Bankruptcy Bar Association	9/6/12-9/7/12	Hyde Park, NY	Speaker at Program	Transportation, Lodging, Food
11.	State Bar of Texas	9/12/12-9/14/12	Houston, TX	Speaker at Program	Transportation, Lodging, Food
12.	Georgetown University Law School	10/4/12-10/5/12	Washington, DC	Speaker at Program	Transportation, Lodging, Food
13.	American College of Bankruptcy	10/12/12-10/13/12	Pittsburgh, PA	Speaker at Program	Transportation, Lodging, Food
14.	National College of Bankruptcy	10/23/12-10/28/12	San Diego, CA	Board Meetings, Speaker at Program	Transportation, Lodging, Food
15.	Capital Region/Central New York Bankruptcy Bar Association	11/1/12-11/3/12	Cooperstown, NY	Speaker at Program	Transportation, Lodging, Food
16.	Commercial Law League of America	11/9/12	New York, NY	Speaker at Program	Transportation, Food
17.	American Bankruptcy Institute	11/29/12-12/1/12	Tucson, AZ	Board and Committee Meetings, Speaker at Program	Transportation and Lodging

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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.	Northwestern Mutual Life	Policy Loans	L
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. IN BROKERAGE ACCT #1 (Fidelity Investments):									
2. - Columbia Acorn Fund Mutual Fund Shares	D	Dividend	M	T	Donated (part)				
3. - Same					Sold (part)	07/25/12	L		Not Applicable
4. - Rockland Co. NY, 3.50%, 2013, Muni Bonds	B	Interest	L	T					
5. - NY State Thruway Auth., 5.00%, 2012, Muni Bonds	B	Interest			Matured	04/02/12	K		Not Applicable
6. - NY State Thruway Auth., 5.50%, 2013, Muni Bonds	C	Interest			Matured	04/16/12	M		Not Applicable
7. - NY State Thruway 5.0%, 2019, Muni Bonds	C	Interest	L	T					
8. - Fidelity Municipal Money Mkt Mut Fund Shares	A	Dividend	M	T					
9. - Vanguard Limited Term Tax Exempt Fund Mutual Fund Shares	A	Dividend	M	T					
10. - Same					Buy (add'l)	11/19/12	M		Not Applicable
11. - Fidelity Contrafund Mut Fund Shares	A	Dividend	K	T					
12. - American Growth Fund of America Cl F Mut Fund Shares		None			Sold	01/05/12	J	D	Not Applicable
13. - Baron Growth Fund Mut Fund Shares	C	Dividend	K	T					
14. - Pimco Total Return Fund Mut Fund Shares	D	Dividend	M	T					
15. - Templeton Global Bond Fund Advisor Class	D	Dividend	M	T					
16. - Royce Total Return Fund Mut Fund Shares	A	Dividend			Sold (part)	07/06/12	K		Not Applicable
17. - Same					Sold	07/25/12	K		Not Applicable

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	
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 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. - BlackRock Equity Dividend Fund Institut Mut Fund Shares	A	Dividend	K	T					
19. - JP Morgan Large Cap Growth Class Mut Fund Shares	A	Dividend	J	T	Buy	01/05/12	J		Not Applicable
20. - BBH Core Select Fund Class N Mut Fund Shares	A	Dividend	K	T	Buy	07/06/12	K		Not Applicable
21. IN BROKERAGE ACCT #2 (Fidelity Investments):									
22. - Rockland Co. NY, 3.50%, 2014, Muni Bonds	C	Interest			Sold	07/13/12	L		Not Applicable
23. - NY State Housing Finance Agency, 5.25%, 2015, Muni Bonds	C	Interest	L	T					
24. - NY City, NY 5.50%, 2014, Muni Bonds	C	Interest			Matured	11/01/12	L		NotApplicable
25. - Fidelity Municipal Money Mkt Mut Fund Shares	A	Dividend	J	T					
26. - Vanguard Intermediate Term Tax Exempt Mutual Fund Shares	A	Dividend	M	T	Buy	11/19/12	M		Not Applicable
27. ROLLOVER IRA #1, FIDELITY INVESTMENTS	E	Int./Div.	O	T					
28. - Fidelity Cash Reserves Money Mkt Mut Fund Shares									
29. - Royce Total Return Fund Mutl Fund Shares					Sold	07/06/12	M		Not Applicable
30. - Tweedy Browne Global Value Fund Mut Fund Shares									
31. - Baron Growth Mut Fund Shares					Sold	07/06/12	K	C	Not Applicable
32. - Fidelity Contrafund Mut Fund Shares									
33. - Ivy Asset Strategy Fund C1 I Mut Fund Shares									
34. - Morgan Stanley Global Long/Short Fund Mut Fund Shares									

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. - BlackRock Global Allocation Fund Instit Mut Fund Shares									
36. - Pimco Total Rund Fund Institutional Mut Fund Shares									
37. - BBH Core Select Fund Class N Mut Fund Shares			K	T	Buy	07/06/12	K		Not Applicable
38. - JP Morgan Large Cap Growth Sel Class Mut Fund Shares			M	T	Buy	07/06/12	M		Not Applicable
39. IRA (#1), FIDELITY INVESTMENTS	D	Dividend	L	T					
40. - Fidelity Cash Reserves Money Mkt Mut Fund Shares									
41. - Templeton Global Bond Advisor Class Mut Fund Shares									
42. IRA (#2), FIDELITY INVESTMENTS	A	Dividend	L	T					
43. - Tweedy Browne Global Value Fund Mut Fund Shares									
44. - Baron Growth Mut Fund Shares									
45. - Fidelity Contrafund Mut Fund Shares									
46. - Fidelity Cash Reserves Money Mkt Mut Fund Shares									
47. IN BROKERAGE ACCOUNT #3									
48. - Spartan 500 Index Fid Investor Class Mutual Fund Shares	A	Dividend	K	T					
49. - Baron Growth Mutual Fund Shares	A	Dividend	J	T					
50. - Fidelity Municipal Money Mkt Mut Fund Shares	A	Dividend	J	T					
51. LIMITED PARTNERSHIP INTERESTS:									

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 = \$250,000,001 - \$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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	(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)
52. - Broadway 72 Assocs, Ltd Partnership Interest	E	Distribution	J	U					
53. -FFHS&K Investment Assocs. 1983-I, Ltd Partnership Interest		None	J	U					
54. ROLLOVER IRA #2, FIDELITY INVESTMENTS	E	Int./Div.	O	T					
55. - Fidelity Cash Reserves Money Market Mut Fund Shares									
56. - Royce Total Return Fund Mut Fund Shares					Sold	07/06/12	J	A	Not Applicable
57. - American Growth Fund of America Mut Fund Shares					Sold	01/05/12	L	D	Not Applicable
58. - Fidelity Contrafund Mut Fund Shares									
59. - Federal Farm Credit Bank, 4.875%, 2018 Bonds									
60. - Pimco Total Return Fund-Institutional Mut Fund Shares									
61. - Blackrock Global Allocat Fund-Institutl Mut Fund Shares									
62. - Ivy Asset Strategy Fund Class I Mut Fund Shares									
63. - Baron Growth Fund Mut Fund Shares					Sold	07/06/12	J		Not Applicable
64. - BBH Core Select Fund Class N Mut Fund Shares					Buy	01/05/12	K		Not Applicable
65. - JP Morgan Large Cap Growth Sel Class					Buy	01/05/12	K		Not Applicable
66. - Fidelity Low Price Stock Mut Fund Shares					Buy	03/05/12	J		Not Applicable
67. 529 PLAN, FIDELITY INVESTMENTS		None	M	T					
68. - Fidelity UNIQUE 2015 Portfolio									

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 \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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69. INSURANCE POLICIES									
70. - Northwestern Mutual Whole Life Policy #1	D	Dividend	M	T					
71. - Northwestern Mutual Whole Life Policy #2	C	Dividend	L	T					
72. - Northwestern Mutual Whole Life Policy #3	C	Dividend	L	T					
73. - Northwestern Mutual Whole Life Policy #4	C	Dividend	L	T					
74. - Northwestern Mutual Whole Life Policy #5	B	Dividend	K	T					
75. ROLLOVER IRA #3 (Morgan Stanley Smith Barney)	E	Interest	O	T					
76. - Dreyfus Money Mkt Govt Secur Series Mut Fund Shares									
77. - WI Clean Water 4.391% 2019 Muni Bonds									
78. - NY Environmental Facilities 4.469% 2019 Muni Bonds									
79. - NY City NY 4.899% 2020 Muni Bonds									
80. - Timpanogos UT 4.69% 2018 Muni Bonds									
81. - San Luis Obispo Cnty CA 7.45% 2019 Muni Bonds									
82. - Brazoria Cnty TX 4.594% 2019 Muni Bonds									
83. - FL St Board of Ed 4.941% 2018 Muni Bonds									
84. - Kauai Cnty HI 4.556% 2021 Muni Bonds									
85. - Stevens Pt WI 4.40% 2018 Muni Bonds					Sold	09/21/12	K	C	Not Applicable

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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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86. - Dallas TX 4.489% 2020 Muni Bonds									
87. - Anchorage AK 4.518% 2020 Muni Bonds									
88. - Los Angeles CA 4.53% 2022 Muni Bonds									

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

Part VII: The dividends shown for mutual funds, as in the past, include capital gains dividends.

As in the past, routine deposits or withdrawals (i.e., purchases or sales) of money market funds have not been deemed to be reportable transactions, and have not been shown, but again as in the past, the income from the money market funds during the Reporting Period has been shown. However, when I have made final sales, and initial purchases, of such money market funds, I have shown such final sales, and initial purchases, as reportable "Sell" and "Buy" transactions. Transactions involving the reinvestment of mutual fund dividends and capital gains distributions are not shown as reportable transactions; however, the income from them is shown.

In 2006 and prior years, in the case of the whole life insurance policies shown on Lines #70 through #74 of this report, the "Income" shown had been the increase in cash value in each policy. In 2007, I began to apply dividends on the policies to reduce policy loans, and since then the increase in cash value is no longer the same as the dividend on each policy. As in my reports for 2007 and thereafter, the "Income" shown is the dividend on each policy, and not the cash value increase, as the former is a better indication of the income on each policy. The value shown for each policy is its net cash value, after subtracting outstanding loans from the gross cash value.

Twelve equal monthly purchases of less than \$1,000 each were made of shares of the Fidelity UNIQUE 2015 Portfolio in the 529 Plan. They are not individually shown, since investments that do not exceed \$1,000 are not to be individually reported. The aggregate value of the plan at the end of the year, which is to be reported, reflects those purchases, and investment results with respect to them.

The bonds listed on Lines ##5, 6, and 24 were called before maturity. As the FDR software's transaction type descriptions do not include "Called," I have used "Matured" as an approximation for that.

The limited partnership shown on line #52 made material distributions to me in 2012. It is obvious that an investment that could generate distributions at the "E" level has more than minimal value. But it is not publicly traded or otherwise valued, and, as in past years, only the book value of that investment is known. Thus the "J" Code, based on that book value, continues to be shown for 2012.

For ease of entry, and review, account name headers appear for accounts that are not aggregate ownership accounts.

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Name of Person Reporting

Gerber, Robert E.

Date of Report

06/16/2013

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 E. Gerber**

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