

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) Berman, Richard M.	2. Court or Organization U.S. District court - S.D.N.Y.	3. Date of Report 04/26/2012
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 01/01/2011 to 12/31/2011
7. Chambers or Office Address U.S. District Court 40 Centre Street (Room 201) 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. 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.)*DATESOURCE AND TYPEINCOME
(yours, not spouse's)

1. _____

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.)*DATESOURCE AND TYPE

1. 2011

Wellesley College

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.)*SOURCEDATESLOCATIONPURPOSEITEMS PAID OR PROVIDED

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. Property, Suffolk County, NY [REDACTED]		None	N	W					
2. Property, Suffolk County, NY [REDACTED]	A	Rent	K	W					
3. Aztex Limited Partnership (real estate)	E	Distribution	J	W					
4. Vanguard 500 Index Trust	B	Dividend	M	T					
5. Vanguard Total Int'l Index	A	Dividend	L	T					
6. Vanguard Total Stock Index	B	Dividend	L	T					
7. NYS Dorm Authority Mental Health	B	Interest			Redeemed	08/15/11	K	A	
8. Icon Energy Fund	A	Dividend	J	T					
9. Berkshire Hathway B		None	K	T					
10. Amer. Funds Fundamental F	A	Dividend	K	T					
11. NYS Twy Auth. (Highway & Bridge)	B	Interest			Redeemed	04/11/11	L	A	
12. NYS Dorm Auth. (Revs)	D	Interest	M	T					
13. Triborough B&T Auth.	C	Interest			Sold	11/1/11	L	A	
14. Spartan 500 Index Fid Adv	B	Dividend	L	T					
15. New Perspective Fund	A	Dividend	K	T					
16. Puerto Rico Pub Bldgs. Auth Rev	C	Interest	L	T					
17. New York NY Ser C U/T	B	Interest			Sold	11/23/11	K	A	

1. Income Gain Codes:	A = \$1,000 or less (See Columns B1 and D4)	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	F = \$50,001 - \$100,000 J = \$15,000 or less (See Columns C1 and D3)	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes	N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000 (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market

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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)

18. New York NY RFDG Ser G U/T	C	Interest	L	T					
19. Fidelity GNMA Fund	B	Dividend	L	T					
20. FIA Card Services NA RASP Account	A	Interest	L	T	Redeemed (part)	01/26/11	J	D	
21. Google Inc Class A		None	K	T	Buy (add'l)	1/26/11	J		
22.					Buy (add'l)	08/10/11	J		
23. CD Goldman Sachs	C	Interest	L	T					
24. Fairholme Fund (X)	B	Dividend	K	T					
25. Ishares FTSE Xinhua HK	A	Interest	J	T					
26. Ishares Russell 2000 Index FD	A	Dividend	K	T					
27. UTS SPDR Trust Ser I	A	Dividend	K	T					
28. JP Morgan Emerging Markets Equity Fund CI A		None	L	T					
29. Berkshire Hathway Inc. Notes	A	Interest	K	T					
30. NY State Dorm Auth North Shore L.I.	D	Interest	M	T					
31. NY State Dorm Auth Lease Rev St Univ Dorm	D	Interest	M	T					
32. Puerto Rico Pub Bldgs Auth Rev	D	Interest	M	T					
33. Omaha Neb Omaha Convention Center	B	Interest	K	T					
34. NY State Dorm Auth Revs St. Univ	A	Interest			Sold	11/23/11	J	A	

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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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35. Puerto Rico Comwlth Pub Impt Ser A	B	Interest	L	T					
36. New York NY Rfdg-Ser F	A	Interest	J	T					
37. New York NY Ser F	A	Interest	K	T					
38. New York NY Ser J U/T B/E	D	Interest	M	T					
39. New York NY Ser J B/E U/T	A	Interest	J	T					
40. Puerto Rico Elec Pwr Auth Prf	D	Interest	M	T					
41. Puerto Rico Elec Pwr Auth	D	Interest	M	T					
42. North Carolina Eastn MPA Pwr Sys	C	Interest	M	T					
43. Puerto Rico Comwlth Hwy & Transn Auth Trans Rev	B	Interest	L	T					
44. Wstchstr NY-TOB Asset Seertztm CRP	D	Interest	M	T					
45. Metropolitan Transn Auth NY ETM Dedicated Tax	D	Interest	M	T					
46. TSASC Inc NY TOB Settlement Asset	C	Interest	L	T					
47. NYS D/A AUth Revs Sndly Pref-Mental Hlth Fac	D	Interest	M	T					
48. Metro Transn Au NY-Dedicated Tax FD- FSA	D	Interest	M	T					
49. New York St Twy Au Second Genl Hwy & Brdg	B	Interest	L	T					
50. Puerto Rico Pub Fin Corp-Comwlth Approp	B	Interest	K	T					
51. New York St Dorm Auth Lease Rev St Univ Dorm FACS	B	Interest	K	T					

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2. Value Codes	J = \$15,000 or less	K = \$15,001 - \$50,000	L = \$50,001 - \$100,000	M = \$100,001 - \$250,000	
(See Columns C1 and D3)	N = \$250,001 - \$500,000	O = \$500,001 - \$1,000,000	P1 = \$1,000,001 - \$5,000,000	P2 = \$5,000,001 - \$25,000,000	
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52. New York State Housing Finance Agcy Tax Rev	A	Interest	K	T					
53. New York St Urban Dev Corp Rev Personal Income Tax	B	Interest	K	T					
54. New York St Dorm Auth Ct FACS Lse Rev (NYC Issue)	A	Interest	J	T					
55. Metropolitan Transn Auth NY Rev-B-CIFG	B	Interest	K	T					
56. Metropolitan Transn Auth NY Dedicated Tax FD-A Revs FGIC	C	Interest	L	T					
57. City of New York Gen Obli Rfdg Bonds Ser B	B	Interest	M	T					
58. TIAA-CREF		None	L	T					
59. T-C Infl Lnkd Bond-Rtmt	A	Distribution	K	T					
60. T-C Lifecycle 2020-Rtmt		None	K	T					
61. T-C Lifecycle Rtmt-Inc-Rtmt	A	Distribution	K	T					
62. Property, Indian River County, FL (X)		None	L	W					
63. Lucia Mar Uni Sch Dist Calif Election 2004-Ser A FGIC	B	Interest	K	T					
64. Oregon St Dept Transhn Hwy User Tax Rev Ser A	B	Interest	K	T					
65. Georgia St-B-B/E UT DD	C	Interest	L	T					
66. Oregon St Dept Transhn Hwy User Tax Rev Ser A	B	Interest	K	T					
67. Scottsdale Ariz Mun Ppty Corp Excise Tax Rev Pref B/E	B	Interest	L	T					
68. Utah Tra Auth Sales Tax Rev Ser B FSA	C	Interest	L	T					

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69. New Jersey St Var Purp Pref B/E	B	Interest	K	T	Sold (part)	06/08/11	K	A	
70. Apple Inc		None	K	T	Buy (add'l)	03/07/11	K		
71. China Mobile Ltd Spn ADR	A	Dividend	J	T					
72. China Unicom Hong Kong	A	Dividend	J	T					
73. Ishares MSCI Turkey Inde		None			Sold	03/04/11	J	A	
74. Ishares MSCI Brazil	A	Dividend	J	T					
75. SDPR Gold Trust		None	K	T					
76. Ishares TR Dow Jones US	A	Dividend	J	T	Buy	03/04/11	J		
77. SPDR S P Metal Mining	A	Dividend	J	T	Buy	03/04/11	J		
78. Union Pacific Corp	A	Dividend	J	T	Buy	03/04/11	J		
79. Rydex ETF TR Index Fund	A	Dividend	J	T	Buy	03/07/11	J		
80. Vanguard Small Cap	A	Dividend	J	T	Buy	03/07/11	J		
81. Deere Co.	A	Dividend	J	T	Buy	08/10/11	J		

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

Explanatory Notes Regarding 2010 Report

- 1) Part VII, page 4, line 2 - The 2010 report inadvertently reported that this property earned income in 2010 when, in fact, it did not.
- 2) Part VII, page 4, line 8 - The 2010 report inadvertently reported that this asset was sold in part on 04/06/10 when, in fact, it was sold.
- 3) Part VII, page 4, line 18 - The 2010 report inadvertently reported that this asset was sold in part on 02/09/10, when, in fact, it was sold.
- 4) Part VII, page 9, line 96 - The 2010 report inadvertently reported that this property earned income in 2010 when, in fact, it did not.
- 5) Part VII, page 10, line 109 - The 2010 report inadvertently reported that this asset was sold in part on 5/10/10 when, in fact, it was sold.

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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 M. Berman**

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
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Washington, D.C. 20544