

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2018

*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) Livingston, Debra A.	2. Court or Organization U.S. Court of Appeals for the Second Circuit	3. Date of Report 05/7/2019
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) United States Circuit Judge. Active status.	5a. Report Type (check appropriate type) ☐ Nomination ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 1/1/2018 to 12/31/2018
7. Chambers or Office Address United States Courthouse 40 Foley Square New York, New York 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. Paul J. Kellner Professor of Law	Columbia Law School
2. Uncompensated Trustee (co-trustee XXXXXXXXXX)	Trust fbo relative ("Trust 5J")
3. Uncompensated Trustee (co-trustee XXXXXXXXXX)	Trust fbo relative ("Trust 5S")
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. 2/1999	Wolters-Kluwer Law & Business/Aspen Publishers. Royalty payments on sales of co-authored case book, Comprehensive Criminal Procedure
2. 1992	See Part VIII. Additional Information.
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. 4/7/2018	Wolters-Kluwer Law & Business Aspen Publishers (royalties)	\$10,601.72
2. 10/6/2018	Wolters-Kluwer Law & Business Aspen Publishers (royalties)	\$219.82
3. 2018	Columbia Law School	\$24,888.00
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.	
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. Vanderbilt Law School	Feb. 1-3, 2018	Nashville, TN	Judge moot court	meals, travel, and lodging
2. ABA Section of Litigation Fall Leadership Meeting	Sept. 27-28, 2018	Louisville, KY	Panel on Federal Rules Amendment Procedure	meals, travel, and lodging
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. Citibank cash accounts	A	Interest	M	T					
2. Bank of America cash account (X)		None	J	T					
3. _____(H)									
4. CREF Stock Fund		None	L	T					
5. Fidelity Contrafund K	D	Dividend	M	T					
6. Fidelity Convertible Security	D	Dividend	L	T					
7. Fidelity Growth Co K	D	Dividend	M	T					
8. Fidelity Equity Div Inc	C	Dividend	K	T					
9. Fidelity Magellan	D	Dividend	L	T					
10. TIAA Real Estate		None	M	T					
11. TIAA Traditional Annuity		None	L	T					
12. _____(H)									
13. U.S. Savings Bonds		None	J	T					
14. _____(H)									
15. Vanguard 122 LifeStrategy Growth Portfolio n.3	C	Dividend	M	T					
16. _____(H)									
17. Vanguard 502 Balanced Index	B	Dividend	L	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	
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. Vanguard 521 Wellington Admiral	E	Dividend	M	T					
19. Vanguard 526 Morgan Growth Admiral	F	Dividend	O	T					
20. Vanguard 548 Small Cap Admiral	C	Dividend	M	T					
21. Vanguard 581 Int'l Growth Admiral	C	Dividend	M	T					
22. Vanguard 593 Growth & Income Admiral	E	Dividend	N	T					
23. -----NY 529 (H)									
24. Vanguard College Mod Age-Based Option Inc		None	K	T	Sold (part)	01/10/18	J		
25.					Sold (part)	07/16/18	K		
26.					Sold (part)	07/24/18	J		
27.					Sold (part)	11/05/18	K		
28. ----- (H)									
29. Vanguard 021 Wellington Investor	C	Dividend			Sold	07/31/18	K		
30. Vanguard 029 Hi-Yield Corporate	B	Dividend			Sold	07/31/18	J		
31. Vanguard 040 Index 500	C	Dividend			Sold	07/31/18	K		
32. Vanguard 081 International Growth		None			Sold	07/31/18	J		
33. Vanguard 119 Inflation- Protected Securities	A	Dividend			Sold	07/31/18	J		
34. Vanguard 123 REIT Index Fund	B	Dividend			Sold	07/31/18	J		

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35. Vanguard 0529 High-Yield Corp F Admiral (X)	A	Dividend	K	T	Buy	07/31/18	K		
36. Vanguard 0581 Int'l Growth Fund Admiral (X)	D	Dividend	M	T	Buy	07/31/18	J		
37. Vanguard 0854 Instit'l Index F Inst'l Shares (X)	D	Dividend	N	T	Buy	07/31/18	N		
38. Vanguard 1665 Inst'l Target Retirement 2025 (X)	D	Dividend	M	T	Buy	07/31/18	M		
39.					Buy (add'l)	11/02/18	M		
40. Vanguard 3123 Real Estate Index Inst'l Shares (X)	C	Dividend	L	T	Buy	07/31/18	L		
41.					Buy (add'l)	11/14/18	J		
42. Vanguard 5119 Infl-Protected Securities F Inst'l Shares (X)	A	Dividend	K	T	Buy	07/31/18	K		
43. Vanguard 0521 Wellington Admiral (X) n.2	B	Dividend			Buy	07/31/18	K		
44.					Sold	11/02/18	K		
45. ————Trusts 5J & 5S (H)									
46. Vanguard Wellington Admiral	E	Dividend	N	T	Sold (part)	03/26/18	J		
47.					Sold (part)	07/23/18	J		
48. Vanguard Prime Money Market Fund	A	Int./Div.	J	T	Buy (add'l)	03/26/18	J		
49.					Sold (part)	04/06/18	J		
50.					Sold (part)	04/12/18	J		
51.					Buy (add'l)	07/23/18	J		

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52. ————Trust 6F (n.1) (H)									
53. Vanguard Wellesley Income Fund	E	Dividend	N	T	Sold (part)	07/02/18	J		
54. Vanguard Prime Money Market Fund	A	Int./Div.	K	T	Sold (part)	01/17/18	J		
55.					Buy (add'l)	03/15/18	J		
56.					Sold (part)	04/10/18	J		
57.					Buy (add'l)	06/15/18	J		
58.					Buy (add'l)	07/02/18	J		
59.					Buy (add'l)	09/21/18	J		
60.					Sold (part)	10/12/18	J		
61.					Buy (add'l)	12/18/18	J		
62.									
63.									
64.									
65.									

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

Part II. Agreements.

1992. As a result of my employment with the University of Michigan Law School from 1992-1994, I continue to have a retirement account established through the University of Michigan, the holdings of which are listed under Part VII. Investments and Trusts. Contributions are of course no longer made to those retirement accounts.

Part VII. Investments and Trusts.

n.1 Trust for relative. [REDACTED] is sole trustee. [REDACTED] and another relative are partial residual beneficiaries.

n.2 This security was not previously held in this account

n.3 Corrected name--previously listed as 122 Life Growth Fund

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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/ Debra A. Livingston

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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Washington, D.C. 20544