

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2004Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. App. §§101-111)

1. Person Reporting (Last name, first, middle initial) Greenberg, Morton I.		2. Court or Organization U.S. Court of Appeals for the Third Circuit		3. Date of Report 3/8/05	
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Circuit Judge, Senior		5. Report Type (check appropriate type) ____ Nomination, Day _____ ____ Initial ☒ Annual _____ Final		6. Reporting Period 1/1/04 to 12/31/04	
7. Chambers or Office Address Clarkson S. Fisher Judicial Complex 402 East State Street, Room 219 Trenton, New Jersey 08608-1507		8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____			
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. Sign on last page.					

I. POSITIONS. (Reporting individual only; see pp. 9-13 of Instructions.)

POSITION	NAME OF ORGANIZATION/ENTITY
☒ NONE (no reportable positions.)	
1	
2	
3	

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of Instructions.)

DATE	PARTIES AND TERMS
☐ NONE (No reportable agreements.)	
1	
2	I receive a pension from the State of New Jersey under the Judicial Retirement System Act predicated on my years of public service in New Jersey and my retirement in 1987.

III. NON-INVESTMENT INCOME. (Reporting individual and spouse; see pp. 17-24 of Instructions.)

DATE	SOURCE AND TYPE	GROSS INCOME
A. Filer's Non-Investment Income		
☐ NONE (No reportable non-investment income.)		
1	Pension from State of New Jersey	\$36,236.24
2		\$
3		\$
B. Spouse's Non-Investment Income - If you were married during any portion of the reporting year, please complete this section. (dollar amount not required except for honoraria)		
☒ NONE (no reportable non-investment income.)		
1		
2		

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IV. REIMBURSEMENTS -- transportation, lodging, food, entertainment
(Includes those to spouse and dependent children. See pp. 25-27 of Instructions.)

	<u>SOURCE</u>	<u>DESCRIPTION</u>
☒	NONE (No such reportable reimbursements.)	
1		
2		
3		
4		
5		
6		
7		

V. GIFTS. (Includes those to spouse and dependent children. See pp. 28-31 of Instructions.)

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
☒	NONE (No such reportable gifts.)		
1			\$
2			\$
3			\$
4			\$

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-33 of Instructions.)

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE*</u>
☒	NONE (No reportable liabilities.)		
1			
2			
3			
4			
5			

*Value Codes: J=\$15,000 or less

K=\$15,001-\$50,000

L=\$50,001-\$100,000

M=\$100,001-\$250,000

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

P3=\$25,000,001-\$50,000,000

P4=\$50,000,001 or more

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VII. Page 1 INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of spouse and dependent children. See pp. 34-57 of instructions.)

A Description of Assets (including trust assets) <i>Place "(2)" after each asset exempt from prior disclosure.</i>	B Income during reporting period		C Gross value at end of reporting period		D Transactions during reporting period				
	(1)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	Amt. Code1 (A-H)	Type (e.g., div., rent or int.)	Value Code2 (J-P)	Value Method Code3 (Q-W)	Type (e.g., buy, sell, merger, redemption)	(2) Date Month- Day	(3) Value Code2 (J-P)	(4) Gain Code1 (A-H)	(5) Identity of buyer/seller (if private transaction)
☐ NONE (No reportable income,									
1. Life Ins. Bankers Nat'l Ins. Co.	A	Int.	K	W	See Note				
2. Life Ins. Pacific Mutual Life Ins. Co.	A	Int.	K	T	See Note				
3. Life Ins. New York Life Ins. Co.	A	Int.	K	T	See Note				
4. Life Ins. Nationwide Life Ins. Co. of Am.	A	Div.	J	T	See Note				
5. IR with Bank of America (CD)	C	Distr.	K	T	See Note				
6. Linwood Country Club	None	None	J	W					
7. Cinergy Corp.	A	Div.	J	T					
8. General Motors Corp.	A	Div.	J	T					
9. Edison International common stock	A	Div.	K	T					
10. Money Market and checking accounts and certificates of deposit with Bank of America, Lawrenceville and Princeton, N.J.	B	Int.	M	T					
11. Money Market account with UBS PaineWebber	A	Div.	J	T					
12. Franklin New Jersey Tax Free Income Fund	A	Int.	J	T					
13. Bonds Belleville Twp.	A	Int.	J	T					
14. Old Bridge Twp. Bonds	A	Int.			redeemed	4/1	K	A	Issuing Agency
15. Mt. Laurel Twp. Bonds	A	Int.	K	T					

1	Income/Gain Codes: (See Col. B1, 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 Col. C1, 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-\$3,000,000 P4=More than \$50,000,000	M=\$100,001-\$250,000 P2=\$5,000,001-\$25,000,000	
3	Value Method Codes: (See Col. C2)	O=Appraisal U=Book value	R=Cost (real estate only) V=Other	S=Assessment W=Estimated	T=Cash/Market	

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VII. Page 2 INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of spouse and dependent children. See pp. 34-57 of Instructions.)

A. Description of Assets (including trust assets) <i>Place "X" after each asset exempt from prior disclosure.</i>	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period							
	(1)	(2)	(1)	(2)	(1)	If not exempt from disclosure						
	Amt. Code1 (A-H)	Type (e.g., div., rent or int.)	Value Code2 (J-P)	Value Method Code (Q-W)	Type (e.g., buy, sell, merger, redemption)	(2) Date: Month- Day	(3) Value Code2 (J-P)	(4) Gain Code1 (A-H)	(5) Identity of buyer/seller (if private transaction)			
☐ NONE (No reportable income, assets, or transactions)												
16. Pennsville Twp. Util. Bond	B	Int.	K	T								
17. N.J. Trans Trust Fund	A	Int.			exchange see note	11/9	K	A	Issuing Agency			
18. N.J. EDA Bonds	A	Int.			redeemed	7/1	J	A	Issuing Agency			
19. N.J. Ed. Fac. Bonds	A	Int.	J	T								
20. Manasquan Bd. of Ed. Bonds	A	Int.	J	T								
21. Delaware River Port Authority Bonds	B	Int.	K	T								
22. Electronic Data Systems	A	Div.	J	T								
23. Delphi Automotive	A	Div.	J	T								
24. Sovereign Bank Account	A	Int.	J	T								
25. N.J. State Transit Corp. Bonds	A	Int.	J	T								
26. Rutherford Bd. of Ed.	A	Int.	J	T								
27. Wildwood City	A	Int.	J	T								
28. Toms River Bd. of Ed.	A	Int.	J	T								
29. N.J. St. Eco. Dev.	A	Int.	J	T								
30. Point Pleasant MBIA	A	Int.	J	T								
31. Gloucester Twp. Board of Ed. X	A	Int.	K	T	Buy	4/7	K		Bought through Broker			
32. Dover Twp. Sch. Dist. X	A	Int.	J	T	Buy	4/7	J		Bought through Broker			
1 Income/Gain Codes: A=\$1,000 or less (See Col. B1, D4) 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: J=\$15,000 or less (See Col. C1, D3) 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: Q=Appraisal (See Col. C2) U=Book value	R=Cost (real estate only) V=Other		S=Assessment W=Estimated		T=Cash/Market							

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[illegible]

Greenberg, Morton I.

VIII. ADDITIONAL INFORMATION or EXPLANATION

I have the following explanations and information for the report. Paragraph II relating to agreements indicates that I have a pension from the State of New Jersey. This is the same item listed as the pension in paragraph III relating to non-investment income. I am receiving a pension based on early retirement under the New Jersey Judicial Retirement System Act, as I had more than 25 years of public service in New Jersey with more than five years as a judge. In view of my more than 25 years of service, I am also entitled to medical coverage for myself and [REDACTED] without charge, which includes reimbursement for Medicare charges. This was handled through Horizon Blue Cross & Blue Shield in 2004, but I understand that the State pays the actual cost. The benefits also include life insurance and a pension for [REDACTED]. The amounts of the insurance and the pension will be based on the salary of a judge of the Appellate Division of the Superior Court as of the time of my death.

I have shown the value of my life insurance policies, Item VII, lines 1, 2, and 3, because there is a cash surrender value for the policies. While I previously regarded them as not held for investment or the production of income but nevertheless voluntarily listed them, starting with the 2002 report I have reported the policies in accordance with the new instructions for the Financial Disclosure Report. I have taken the value codes from annual policy statements but note that the statement for line 1, Bankers Nat'l, from the company is not specific for cash value. I thus have made my calculation based on my knowledge of the history of the policy. The item for Pacific Mutual at line 2 includes two policies combined. I also have reported a Nationwide Life Ins. Co. of Am. policy at Item VII, line 4, that was not regarded as held for investment or production of income but starting with the 2002 report has been shown as it has a policy value. In 2002 it was shown as Provident Mutual but because of a name change is now Nationwide Life. I have taken the income amounts from the IRS form 1099 where applicable.

I show income on line 5 from an IRA which is invested in a certificate of deposit as Distr. In fact an IRA distribution includes sources from the original deposits and accumulated earnings, in this case interest on a certificate of deposit which still is accruing. Previously this item was shown with Fleet Bank but it is now with Bank of America

because of a merger of the banks with Bank of America left. This change also applies to the accounts listed in line 10.

I show Linwood Country Club stock at Item VII, line 6, which is not an investment property and produces no income. I probably do not have to show the Country Club stock as it was not held for income but I am voluntarily showing it.

I have not listed as an asset the value of my interest in the New Jersey Judicial Retirement System under paragraph VII, as it was listed under paragraph II and the income from it was listed under paragraph III.

In Item VII, line 10, I list checking and money market accounts, and certificates of deposit with the Bank of America. I have aggregated the information for that bank for the various accounts.

Item 17 is for N.J. Trans. Trust Bonds. On 11/9/04 these bonds were exchanged by the issuing agency for the two items list as items 34 and 35. The two new items are a substitute for item 17 and are together for the same face value as the single item on line 17.

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS (Indicate part of Report.)

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

Date

March 8, 2005

NOTE: ANY PERSON KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. App., § 104.)

FILING INSTRUCTIONS:

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure
Administrative Office of the
United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544