

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2014

Report Required by the Ethics  
in Government Act of 1978  
(5 U.S.C. app. §§ 101-111)

|                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                          |                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>1. Person Reporting</b> (last name, first, middle initial)<br><br>Livingston, Debra A.                                                                                                  | <b>2. Court or Organization</b><br><br>U.S. Court of Appeals for the Second Circuit                                                                                                                                                                                                      | <b>3. Date of Report</b><br><br>05/08/2015                       |
| <b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br><br>United States Circuit Judge. Active status.                    | <b>5a. Report Type</b> (check appropriate type)<br><input type="checkbox"/> Nomination <input type="checkbox"/> Date<br><input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final<br><b>5b.</b> <input type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2014<br>to<br>12/31/2014 |
| <b>7. Chambers or Office Address</b><br><br>United States Courthouse<br>40 Foley Square<br>New York, New York 10007                                                                        |                                                                                                                                                                                                                                                                                          |                                                                  |
| <p><b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information.</p> |                                                                                                                                                                                                                                                                                          |                                                                  |

## 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: [REDACTED]) | Trust fbo relative ("Trust 5J")    |
| 3. | Uncompensated Trustee (co-trustee: [REDACTED]) | 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.)*

| <u>DATE</u>   | <u>SOURCE AND TYPE</u>                                     | <u>INCOME</u><br>(yours, not spouse's) |
|---------------|------------------------------------------------------------|----------------------------------------|
| 1. 04.01.2014 | Wolters-Kluwer Law & Business Aspen Publishers (royalties) | \$11,520.20                            |
| 2. 2014       | Columbia Law School                                        | \$26,844.96                            |
| 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. Harvard Law School               | March 6-7, 2014   | Cambridge, MA   | Committee to Visit Harvard Law School | Transportation, meals, hotel  |
| 2. University of Chicago Law School | April 27-29, 2014 | Chicago, IL     | Moot Court                            | Transportation, meals, hotel  |
| 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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |                                               | C.<br>Gross value at end<br>of reporting period |                                           | D.<br>Transactions during reporting period      |                         |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>mm/dd/yy | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 1. Citibank cash accounts                                                                                                   | A                                       | Interest                                      | N                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 2. _____(H)                                                                                                                 |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 3. CREF Stock Fund                                                                                                          |                                         | None                                          | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 4. Fidelity Contrafund K                                                                                                    | D                                       | Dividend                                      | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 5. Fidelity Convertible Security                                                                                            | C                                       | Dividend                                      | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 6. Fidelity Growth Co K                                                                                                     | C                                       | Dividend                                      | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 7. Fidelity Equity Div Inc                                                                                                  | A                                       | Dividend                                      | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 8. Fidelity Magellan                                                                                                        | D                                       | Dividend                                      | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 9. TIAA Real Estate                                                                                                         |                                         | None                                          | M                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 10. TIAA Traditional Annuity                                                                                                |                                         | None                                          | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 11. _____(H)                                                                                                                |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 12. U.S. Savings Bonds                                                                                                      |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 13. _____(H)                                                                                                                |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 14. Vanguard 122 Life Growth Portfolio                                                                                      | B                                       | Dividend                                      | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 15. _____(H)                                                                                                                |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 16. Vanguard 163 NY Tax Exempt                                                                                              | A                                       | Interest                                      | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 17. Vanguard 502 Balanced Index                                                                                             | B                                       | Dividend                                      | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |

|                                                  |                                                                                       |                                                        |                                                                                          |                                                              |                         |
|--------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|
| 1. Income Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001 - \$100,000                                       | B = \$1,001 - \$2,500<br>G = \$100,001 - \$1,000,000   | C = \$2,501 - \$5,000<br>H1 = \$1,000,001 - \$5,000,000                                  | D = \$5,001 - \$15,000<br>H2 = More than \$5,000,000         | E = \$15,001 - \$50,000 |
| 2. Value Codes<br>(See Columns C1 and D3)        | J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$5,000,000 | M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value                                                       | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |                                               | C.<br>Gross value at end<br>of reporting period |                                           | D.<br>Transactions during reporting period      |                         |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>mm/dd/yy | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |

|                                                    |   |           |   |   |                |          |   |   |  |
|----------------------------------------------------|---|-----------|---|---|----------------|----------|---|---|--|
| 18. Vanguard 521 Wellington Admiral (X)            | D | Dividend  | M | T | Buy            | 10/05/14 | M |   |  |
| 19. Vanguard 526 Morgan Growth Admiral             | C | Dividend  | N | T |                |          |   |   |  |
| 20. Vanguard 548 Small Cap Admiral                 | C | Dividend  | M | T |                |          |   |   |  |
| 21. Vanguard 581 Int'l Growth Admiral (X)          | B | Dividend  | K | T | Buy            | 05/22/14 | L |   |  |
| 22. Vanguard 593 Growth & Income Admiral           | C | Dividend  | M | T |                |          |   |   |  |
| 23. -----NY 529 (H)                                |   |           |   |   |                |          |   |   |  |
| 24. Vanguard College Mod Age-Based<br>Conservative |   | None      | L | T |                |          |   |   |  |
| 25. ----- (H)                                      |   |           |   |   |                |          |   |   |  |
| 26. Vanguard 021 Wellington Investor               | D | Dividend  | M | T |                |          |   |   |  |
| 27. Vanguard 029 Hi-Yield Corporate                | B | Dividend  | K | T |                |          |   |   |  |
| 28. Vanguard 040 Index 500                         | C | Dividend  | M | T |                |          |   |   |  |
| 29. Vanguard 081 International Growth (n.1)        | B | Dividend  | L | T | Sold<br>(part) | 05/22/14 | L |   |  |
| 30. Vanguard 119 Inflation- Protected Securities   | A | Dividend  | K | T |                |          |   |   |  |
| 31. Vanguard 123 REIT Index Fund                   | C | Dividend  | L | T |                |          |   |   |  |
| 32. -----Trusts 5J & 5S (H)                        |   |           |   |   |                |          |   |   |  |
| 33. Vanguard Wellington Admiral                    | E | Dividend  | N | T | Sold<br>(part) | 04/02/14 | J | A |  |
| 34. Vanguard Prime Money Market Fund               | A | Int./Div. | J | T |                |          |   |   |  |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
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| 2. Value Codes<br>(See Columns C1 and D3)        | J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$50,000,000 | M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value                                                       | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>W = Estimated                                                           | T = Cash Market                                              |                         |

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|                                                          |   |           |   |   |                |          |   |   |  |
|----------------------------------------------------------|---|-----------|---|---|----------------|----------|---|---|--|
| 35. -----Trust 6F (n.2) (H)                              |   |           |   |   |                |          |   |   |  |
| 36. Vanguard Wellesley Income Fund                       | D | Dividend  | N | T | Sold<br>(part) | 04/02/14 | J | A |  |
| 37. Vanguard Prime Money Market Fund                     | A | Int./Div. | J | T |                |          |   |   |  |
| 38. -----Nevada 529 (n.3) (H)                            |   |           |   |   |                |          |   |   |  |
| 39. Vanguard 529 Moderate Age-Based Opt:<br>Income Portf |   | None      | K | T |                |          |   |   |  |
| 40.                                                      |   |           |   |   |                |          |   |   |  |

|                                                  |                                                                                       |                                                        |                                                                                          |                                                              |                         |
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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 Vanguard 081 International Growth was held in two accounts. On May 22, 2014, it was converted in one of the accounts to Vanguard 581 International Growth Admiral in a tax-free transaction (no capital gains). Vanguard 081 International Growth remains in the other account in the amount indicated.

n.2 Trust for relative. Spouse is sole trustee. [REDACTED] are partial residual beneficiaries.

n.3 College 529 savings account for [REDACTED]

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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  
Suite 2-301  
One Columbus Circle, N.E.  
Washington, D.C. 20544