

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) D'Agostino, Mae A.	2. Court or Organization U.S. District Court for the Northern District of New York	3. Date of Report 04/25/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Court 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 U.S. District Court James T. Foley U.S. Courthouse 445 Broadway Albany, NY 12207		
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.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Adjunct Professor	Albany Law School
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. 05/01/2008	American International Life Assurance Co., structured settlement for future payments of legal fees earned
2. 09/04/2002	American General Life Insurance Co., structured settlement for future payments of legal fees earned
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> (yours, not spouse's)
1. 2012	Albany Law School	\$3,200.00
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.)*

<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.				
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.	Peter C. Kopff	4 Tickets to NY Yankees Baseball Game	\$500.00
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. Vanguard Prime Money Market Account	A	Dividend	J	T					
2.									
3. Key Bank Account	A	Interest	K	T					
4.									
5. (H) Fidelity Brokerage Account									
6. - Cash	A	Int./Div.	J	T					
7. - Fidelity Cash Reserves	A	Dividend	J	T					
8. - American Century Equity Inc Inv Cl	A	Dividend	J	T	Buy	01/09/12	J		
9. - Artisan Mid Cap Value	A	Dividend	J	T	Sold (part)	07/31/12	J	A	
10.					Sold (part)	12/18/12	J	A	
11. - Artisan Intl Value Fund Inv Cl	A	Dividend	J	T	Buy	01/26/12	J		
12. - Spartan 500 Index Fd Adv Cl	A	Dividend	J	T					
13. - Spartan Extended Mkt Index Fid Adv Cl	A	Dividend	J	T	Buy	04/20/12	J		
14.					Buy (add'l)	12/18/12	J		
15. - Fidelity Contrafund	A	Dividend	J	T					
16. - Fidelity Strategic Dividend & Income	A	Dividend	J	T					
17. - Fidelity Low Priced Stock	A	Dividend	J	T					

1. Income Gain Codes:	A = \$1,000 or less	B = \$1,001 - \$2,500	C = \$2,501 - \$5,000	D = \$5,001 - \$15,000	E = \$15,001 - \$50,000
(See Columns B1 and D4)	F = \$50,001 - \$100,000	G = \$100,001 - \$1,000,000	H1 = \$1,000,001 - \$5,000,000	H2 = More than \$5,000,000	
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	
3. Value Method Codes	P3 = \$25,000,001 - \$50,000,000		P4 = More than \$50,000,000		
(See Column C2)	Q = Appraisal	R = Cost (Real Estate Only)	S = Assessment	T = Cash Market	
	U = Book Value	V = Other	W = Estimated		

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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 I (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. - Fidelity Select medical Equip & System	A	Dividend	J	T					
19. - Oakmark International Small Cap I	A	Dividend	J	T					
20. - SSgA Emerging Markets	A	Dividend	J	T					
21. - Fidelity Floating Rate High Income	A	Dividend	J	T	Buy (add'l)	04/20/12	J		
22.					Buy (add'l)	12/18/12	J		
23. - Fidelity High Income	A	Dividend	J	T	Buy	02/22/12	J		
24.					Buy (add'l)	04/20/12	J		
25.					Buy (add'l)	12/18/12	J		
26. - Fidelity GNMA Fund	A	Dividend	J	T					
27. - Fidelity Strategic Income	A	Dividend	J	T	Sold (part)	12/18/12	J	A	
28. - PIMCO Global Advt Strategy Bond CL D	A	Dividend	J	T					
29. - Janus Balanced Fund C1 T	A	Dividend	J	T	Buy	12/18/12	J		
30. - Columbia Value & Restructuring	A	Dividend			Sold	01/09/12	J	A	
31. - Janus Overseas T	A	Dividend			Sold	01/26/12	J	A	
32. - Neuberger Berman Genesis	A	Dividend			Buy	01/26/12	J		
33.					Sold	04/20/12	J	A	
34. - Allianz Agic Income & Growth	A	Dividend			Buy (add'l)	04/20/12	J		

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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☐ 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.					Sold	12/18/12	J	A	
36. - Perkins Mid Cap Value	A	Dividend			Sold	01/26/12	J	A	
37. - PIMCO Investment Grade Corp D	A	Dividend			Sold	02/22/12	J	A	
38. - PIMCO Low Duration D	A	Dividend			Sold	04/20/12	J	A	
39.									
40. 401(k) Plan	A	Dividend			Merged (with line 42)	11/19/12	J		
41.									
42. Fidelity IRA	E	Dividend	P1	T					
43. - American Century Equity Inc Inv CL					Buy	01/09/12	K		
44. - Artisan Mid Cap Value					Buy (add'l)	02/22/12	J		
45.					Sold (part)	07/31/12	K	A	
46.					Sold (part)	12/18/12	J	A	
47. - Artisan Intl Value Fund Inv Cl					Buy	01/26/12	K		
48.					Buy (add'l)	02/07/12	J		
49.					Buy (add'l)	02/16/12	J		
50.					Buy (add'l)	03/06/12	J		
51. - Spartan 500 Index Fd Adv Class									

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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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)
52. - Spartan Extended Mkt Index Fid Adv Class					Buy	04/20/12	K		
53.					Buy (add'l)	12/18/12	J		
54. - Fidelity Contrafund					Buy (add'l)	04/20/12	J		
55. - Fidelity Strategic Dividend & Income					Sold (part)	03/06/12	J	A	
56.					Buy (add'l)	07/31/12	J		
57. - Fidelity Low Priced Stock									
58. - Fidelity Select Medical Equip & System									
59. - Oakmark International Small Cap I					Buy (add'l)	01/03/12	J		
60.					Sold (part)	02/16/12	J	A	
61.					Sold (part)	11/20/12	J	A	
62. - SSGA Emerging Markets					Buy (add'l)	03/06/12	J		
63. - Fidelity Floating Rate High Income					Buy (add'l)	04/20/12	J		
64.					Buy (add'l)	12/18/12	K		
65. - Fidelity High Income					Buy	02/22/12	K		
66.					Buy (add'l)	04/20/12	K		
67.					Buy (add'l)	07/31/12	J		
68.					Buy (add'l)	12/18/12	J		

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
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69. - Fidelity GNMA Fund					Buy (add'l)	01/26/12	J		
70.					Sold (part)	12/18/12	J	A	
71. - Fidelity Strategic Income					Sold (part)	12/18/12	K	A	
72. - PIMCO Global Advt Strategy Bond CL D					Buy (add'l)	01/03/12	J		
73.					Sold (part)	02/07/12	J	A	
74.					Sold (part)	03/06/12	J	A	
75.					Sold (part)	11/20/12	J	A	
76. - Janus Balanced Fund C1 T					Buy	12/18/12	L		
77. - Fidelity Cash Reserves									
78. - Perkins Mid Cap Value Fund Class T					Sold	01/26/12	K	A	
79. - Janus Overseas Fund Class T					Sold (part)	01/26/12	K	A	
80.					Sold	02/07/12	J	A	
81. - PIMCO Low Duration Class D					Sold (part)	01/26/12	J	A	
82.					Sold	04/20/12	L	A	
83. - PIMCO Investment Grade Corp Bond CL D					Sold	02/22/12	K	A	
84. - Allianz AGIC Income & Growth CL D					Buy (add'l)	04/20/12	J		
85.					Sold	12/18/12	L	A	

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
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86. - Columbia Value and Restructuring CL Z					Sold	01/09/12	K	A	
87. - Neuberger Berman Genesis					Buy	01/26/12	K		
88.					Buy (add'l)	01/30/12	J		
89.					Buy (add'l)	02/07/12	J		
90.					Buy (add'l)	02/16/12	J		
91.					Buy (add'l)	03/06/12	J		
92.					Sold	04/20/12	K	A	
93.									
94. Vanguard Growth & Income Fund Custodial Account	A	Dividend			Distributed	11/27/12	J		
95.									
96. Prudential Annuity (Inherited)	A	Interest	K	T	Distributed (part)	12/31/12	K		
97.									
98.									
99.									

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

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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/ Mae A. D'Agostino

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