

memorandum

DATE: March 23, 2006

REPLY TO: *[Handwritten initials]*
ATTN OF: U.S. District Judge Gustave Diamond

SUBJECT: Financial Disclosure Report 2005

TO: Committee on Financial Disclosure
Administrative Office of U.S. Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544

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FINANCIAL
DISCLOSURE OFFICE

In order to facilitate your review of my 2005 Financial Disclosure Report in view of the realignment of asset items as explained in Note 1 to that Report, I am submitting the following:

First, items reported on the following lines of the 2004 Report are no longer reportable for reasons which appear on the face of that Report or, in one instance, for the reason stated in Note 4 to the 2005 Report: Lines 1, 35-37, 40, 43-45, 51-56, 59-63, 65-70, 73.

Second, in my 2005 Report I have reported 57 asset items or transactions at lines 1-57. Numbers 1-57 in Column 1 of the accompanying chart correspond to those lines. The "source" of each of those 57 items is identified in the adjacent line in Column 2 of the chart. In each instance the "source" is either an asset reported at the line of the 2004 Report indicated in Column 2, or is identified as a "new" (first time reported) item in that Column. For example, the asset reported on line 1 of the 2005 Report is the same asset reported at line 2 of the 2004 Report, and the asset reported at line 46 of the 2005 Report is a "new" asset, which as indicated in that Report was acquired on 6/1/05.

I hope this will be helpful.

Column 1 Line # on 2005 Report	Column 2 Line # Source From 2004 Report or "new"	Column 1 Cont'd	Column 2 Cont'd
1	2	36	21
2	3	37	22
3	4	38	24
4	5	39	46
5	6	40	new
6	8	41	new
7	9	42	25
8	10	43	26
9	11	44	27
10	12	45	29
11	13	46	new
12	16	47	new
13	23	48	new
14	30	49	41
15	31	50	new
16	32	51	new
17	33	52	7
18	34	53	14
19	38	54	15
20	39	55	new
21	42	56	new
22	47	57	new
23	48		
24	71		
25	72		
26	17		
27	18		
28	19		
29	20		
30	28		
31	49		
32	50		
33	57		
34	58		
35	64		

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2005

1. Person Reporting (last name, first, middle initial) DIAMOND, GUSTAVE	2. Court or Organization U.S. District Court, W.D. PA	3. Date of Report 03/22/2006
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge (Senior)	5a. Report Type (check appropriate type) <input type="checkbox"/> Nomination, Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final 5b. <input type="checkbox"/> Amended Report	6. Reporting Period 01/01/2005 to 12/31/2005
7. Chambers or Office Address U.S. District Court, W.D. PA 821 U.S.P.O. & Courthouse Pittsburgh, PA 15219	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.)

NONE (No reportable positions.)

POSITION	NAME OF ORGANIZATION/ENTITY
1.	
2.	
3.	
4.	
5.	

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

NONE (No reportable agreements.)

DATE	PARTIES AND TERMS
1.	
2.	
3.	

III. NON-INVESTMENT INCOME. (Reporting individual and spouse; see pp. 17-24 of 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.		
2.		
3.		
4.		
5.		

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.	
5.	

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

NONE (No reportable reimbursements.)

<u>SOURCE</u>	<u>DESCRIPTION</u>
1. New York Intellectual Property Law Association	March 18-20, 2005, Annual Judges' Dinner, New York City. Travel, lodging and food for self [REDACTED]
2.	
3.	
4.	
5.	

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Name of Person Reporting DIAMOND, GUSTAVE	Date of Report 03/22/2006
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V. GIFTS. *(Includes those to spouse and dependent children. See pp. 28-31 of 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. 32-34 of instructions.)*

NONE *(No reportable liabilities.)*

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.			
2.			
3.			
4.			
5.			

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Name of Person Reporting DIAMOND, GUSTAVE	Date of Report 03/22/2006
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VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Fidelity Equity Income Fund, IRA	A	Dividend	J	T	Part Redem	4/1	J		
2. Formerly Legg-Mason Mny Mkt, now Smith Barney cash portfolio	A	Interest	J	T					
3. Washington Mutual Investors Fund	A	Dividend	L	T					
4. AFLAC, Stock	A	Dividend	K	T					
5. Ford Motor Co., Stock	A	Dividend			Sell	11/2	J	A	
6. Motorola, Stock	A	Dividend	J	T					
7. Procter & Gamble, Stock	A	Dividend	J	T					
8. Duke Realty, Pref Stock	B	Dividend	K	T					
9. PNC, Stock	A	Dividend	J	T					
10. Suntrust Banks	A	Dividend	J	T					
11. American Funds, Growth Fund of America	A	Dividend	K	T					
12. Baxter Int'l, Stock	A	Dividend	J	T					
13. Smucker, JM, Stock	A	Dividend			Sell	2/10	J	A	
14. American Balanced Fund	A	Dividend	K	T					
15. Pfizer, Stock	A	Dividend			Sell	2/10	J	A	
16. American Funds, Capital Income Builder	C	Dividend	L	T					
17. American Funds, Growth Fund of America	A	Dividend	K	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	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	T = Cash Market
3. Value Method Codes (See Column C2)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated		

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Name of Person Reporting DIAMOND, GUSTAVE	Date of Report 03/22/2006
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VII. INVESTMENTS and TRUSTS -- income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. Am. Funds, New Perspective	A	Dividend	K	T	Buy	11/17	J		
19. Legg Mason Value Trust	A	Dividend	K	T	Buy	6/3	J		
20.					Buy	7/22	J		
21. American Funds, Investment Co. of Am.	A	Dividend	K	T					
22. Legg Mason Cash Reserves		None	J	T					
23. Blackrock Dividend Achievers Trust	A	Dividend			Part Sell Sell	11/25 12/22	J J		
24. Freescale Semiconductor		None	J	T					
25. Medco Health Solutions		None			Sell	2/10			
26. Daimler Chrysler Bond	B	Interest	K	T					
27. BGE-Capital Trust II	B	Interest	K	T					
28. G-M Acceptance Corp, Bond	B	Interest	K	T					
29. Sears Roebuck Acceptance Corp., Bond	B	Interest	K	T					
30. American Funds, Cap. Income Builder	D	Dividend	L	T					
31. Legg Mason Value Trust	A	Dividend	K	T	Buy	8/8	J		
32. Am. Funds, Small Cap World Funds	B	Dividend	K	T					
33. Am. Funds, New Perspective Fund	C	Dividend	K	T					
34.					Buy	2/10	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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3. Value Method Codes (See Column C2)	P3 = \$25,000,001 - \$50,000,000 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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Name of Person Reporting DIAMOND, GUSTAVE	Date of Report 03/22/2006
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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				
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						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)

35. Am.Funds, Investment Co. of Am.	D	Dividend	L	T					
36. Legg Mason Money Market	A	Interest	J	T					
37. Am. Funds, Washington Mutual I.F.	B	Dividend	L	T					
38. Allegheny Co. Fed Credit Union - C.D.	A	Interest	J	T					
39. Pfizer	A	Dividend	J	T					
40. American Funds, Capital World Growth and In.	B	Dividend	K	T	Buy	7/7 2004	J		See Note 2
41.					Buy	7/22	J		
42. American General Insurance	A	Interest	J	T					
43. Mass. Mutual Life Policy	D	Dividend	K	T					
44. National City Bank - Bank Acct.	A	Interest	J	T					
45. Parkvale Bank - C.D.	B	Interest	K	T					
46. Countrywide Bank - C.D.	B	Interest	L	T	Buy	6/1	L		See Note 3
47. Countrywide Bank - C.D.	A	Interest	K	T	Buy	5/4	K		
48. National City Bank - C.D.	A	Interest	J	T	Buy	11/1	J		
49. National City Bank - C.D.	A	Interest	J	T					
50. National City Bank - C.D.	A	Interest	J	T	Buy	12/7	J		
51. Parkvale Bank - Savings Cert.	A	Interest	K	T	Buy	6/8 2004	K		See Note 2

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000 R = Cost (Real Estate Only) V = Other	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000 S = Assessment W = Estimated	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000 T = Cash Market	E = \$15,001 - \$50,000
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Name of Person Reporting DIAMOND, GUSTAVE	Date of Report 03/22/2006
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	(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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code I (A-H)	(5) Identity of buyer/seller (if private transaction)
52. American Funds, Washington Mutual	B	Dividend	K	T					
53. Fidelity, Equity Income, IRA	A	Dividend	K	T	Part Redem	12/1	J		
54. Fidelity, Equity Income Individual	A	Dividend	L	T	Buy	12/1	J		
55. Bank of America, Stock		None	J	T	Buy	9/23	J		
56. Wal-Mart Stores, Inc., Stock		None	J	T	Buy	10/18	J		
57. Fed-Ex Corp., Stock		None	J	T	Buy	11/21	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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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of Report.)*

Note 1. Assets in this Report have been realigned and assigned different lines than those items were assigned in the 2004 Report in order to report together assets held in related accounts. This is a one-time adjustment made in order to facilitate future reporting.

Note 2. The asset listed at Line 40 was acquired on September 7, 2004, and the asset listed at Line 51 was acquired on June 8, 2004. These assets were among those referred to in Note 1 of my 2004 Report, but inadvertently were omitted from that Report, which it is requested be amended accordingly.

Note 3. This asset was acquired with funds from the sale of real property, which was not reportable previously because it was not held as an investment for the production of income or in a trade or business.

Note 4. The asset listed at Line 37 of my 2004 Report is omitted from the 2005 Report because it was a duplicate of the asset reported at Line 7 of the 2004 Report. It is requested that the 2004 Report be amended accordingly.

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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  Date March 22, 2006

NOTE: ALL REPORTS 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