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Rev. 1/2010

### FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2009

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) DIAMOND, GUSTAVE	2. Court or Organization U.S. District Court, W.D. PA	3. Date of Report 05/11/2010
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 01/01/2009 to 12/31/2009
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 _____	
<b>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.</b>		

**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. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

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**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. _____	_____
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.	_____	_____	_____
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.			
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. Fidelity Equity Income Fund, IRA	A	Dividend	J	T	Redeemed (part)	12/01/09	J		
2. Formerly Smith Barney cash portfolio now Citibank NA S.D.	A	Interest	J	T					
3. AFLAC, Stock	A	Dividend	K	T					
4. Am. Funds, American Balanced Fund	A	Dividend	J	T					
5. Am. Funds, Investment Co. of Am.	B	Dividend	M	T					
6. Microsoft Corp.	A	Dividend	J	T	Buy	10/15/09	J		
7. EuroPacific Growth Fund	A	Dividend			Sold	1/30/09	J	(C)	
8. Procter & Gamble, Stock	A	Dividend	K	T					
9. Capital World Growth & Income	A	Dividend	J	T					
10. PNC, Stock	A	Dividend			Sold	10/15/09	J	B	
11. Allegheny Co. PA Sanitary Auth. Bond	A	Interest	K	T					
12. Suntrust Banks	A	Dividend	J	T					
13. Am. Funds, Growth Fund of America	A	Dividend	K	T					
14. PA State Second Sec. Bond	A	Interest	K	T					
15. Lancaster, PA General Oblig. Bond	A	Interest			Sold	05/04/09	K	A	
16. State Public School Bldg Authority Bond	A	Interest	K	T	Buy	05/07/09	K		
17. Am. Funds, American Balanced Fund	B	Dividend	K	T	Buy	12/31/09	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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**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)
18. Am. Funds, Capital Income Builder	C	Dividend	M	T	Buy	01/30/09	J		
19. Am. Funds, Fundamental Investors Fund	A	Dividend	K	T					
20. PA Public School Building Bond	A	Interest	K	T					
21. PA State Higher Edu. Bond	A	Interest	K	T					
22. Philadelphia, PA Hosp. Bond	A	Interest	K	T					
23. Income Fund of America	B	Dividend	L	T					
24. Daimler Chrysler Bond	A	Interest			Sold	05/26/09	K	A	
25. BGE-Capital Trust II	B	Interest	K	T					
26. G-M Acceptance Corp Bond	A	Interest			Sold	05/26/09	K	A	
27. American High Income Trust Fund	A	Interest	J	T	Buy	01/30/09	J		
28. American High Income Trust Fund	D	Dividend	L	T	Buy (add'l)	06/08/09	K		
29. American Funds, Cap. Income Builder	C	Dividend	L	T					
30. American Mutual Fund	A	Dividend	J	T	Buy	01/30/09	J		
31. Legg Mason Value Trust	A	Dividend	K	T					
32. Bond Fund of America	A	Dividend	J	T	Buy	01/30/09	J		
33. Am. Funds, Small Cap World Funds	B	Dividend	K	T	Sold (part)	01/30/09	K	A	
34. Am. Funds, New Perspective Fund					Sold (part)	01/30/09	J	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
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. Am. Funds, New Perspective Fund	B	Dividend	L	T	Sold (part)	10/20/09	J	A	
36. Income Fund of America	A	Dividend	J	T	Buy	01/30/09	J		
37. Am. Funds, Investment Co. of Am.	B	Dividend	L	T					
38. Pimco Real Return Fund	A	Dividend	J	T	Buy	02/04/09	J		
39. Am. Funds, American Balanced Fund	A	Dividend	J	T					
40. Am. Funds, Europacific Growth Fund	A	Dividend			Sold	01/30/09	J	A	
41. Am. Funds, Growth Fund of America	A	Dividend	J	T					
42. Investment Co. of America	A	Dividend	J	T	Buy	10/20/09	J		
43. Citibank NA S.D.	A	Interest	J	T					
44. Allegheny Co. Fed Credit Union -- CD	A	Dividend			Redeemed	03/05/09	J	A	
45. Fundamental Investors Fund	A	Dividend	K	T	Sold (part)	10/15/09	K	(C)	
46. Tax Exempt Bond Fund of America	A	Interest	J	T	Buy	10/15/09	J		
47. Income Fund of America	B	Dividend	K	T					
48. American High Income Bond Fund	A	Interest	J	T	Buy	10/15/09	J		
49. Am Funds, Capital World Growth Inc.	B	Dividend	K	T					
50. Fed Ex Corp Stock	A	Dividend	J	T					
51. Investment Co. of America	A	Dividend	K	T					

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2. Value Codes (See Columns C1 and D3)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	
3. Value Method Codes (See Column C2)					

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52. National City Bank - Bank Acct.	A	Interest	J	T					
53. Washington Mutual Investors Fund 529A	A	Dividend	K	T					
54. Capital World Growth and Income 529A	A	Dividend	J	T					
55. Fundamental Investors 529A	A	Dividend	J	T					
56. Investment Co. of America 529A	A	Dividend	J	T					
57. Fidelity, Equity Income, IRA	B	Dividend, cap gain	K	T	Part Redcem	12/01/09	J		
58. Fidelity, Equity Income Individual	A	Dividend	J	T	Transfer from IRA	12/01/09	J		
59. Fidelity, Canada	A	Dividend	K	T	Buy	12/04/09	J		
60. Fidelity, Latin America	A	Dividend	K	T	Buy	12/30/09	J		
61. Fidelity, Nordic	A	Dividend			Redeemed	12/16/09	J	(C)	
62. Fidelity, Southeast Asia	A	Dividend			Redeemed	12/16/09	K	(D)	
63. Fidelity, Convertible Securities	A	Dividend			Redeemed	12/16/09	K	(D)	
64. Fidelity, International Discovery	A	Dividend			Redeemed	12/16/09	J	(C)	
65. Fidelity Fifty	A	Dividend	J	T					
66. Wal-Mart Stores, Inc., stock	A	Dividend	J	T					
67. National City Bank -- C.D.	A	Interest			Redeemed	12/09/09	J	A	
68. PNC Money Market					Buy	10/24/08	J		Footnote 1

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)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

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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)
69. PNC Money Market					Buy (add'l)	various 2009	J		
70. PNC Money Market	A	Interest	K	T	Buy (add'l)	06/26/09	J		
71. Citizens Bank Savings Account	A	Interest	K	T	Buy	03/09	K		Footnote 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	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	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	Q = Appraisal U = Book Value	R = Cust (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	
3. Value Method Codes (See Column C2)					



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

Footnote 1: Line 68: This savings account was opened in October 2008 with a \$10,000 deposit from funds which had accumulated in our checking account into which my monthly government check is directly deposited. It was inadvertently omitted from my 2008 ethics report which I hereby request be amended accordingly. We now make regular deposits from our checking account throughout the year into this account, plus a \$12,429 deposit in June 2009 from an income tax refund.

Footnote 2: Line 71: This consists of the proceeds of redemption of Mass Mutual life insurance in January 2008. Those proceeds had been held in a non-interest account until this investment.

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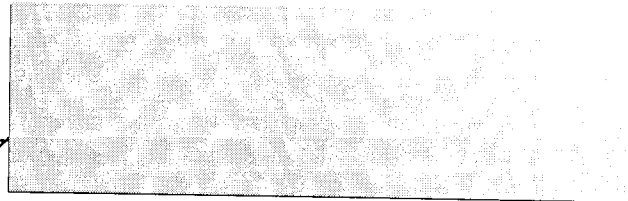
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**IX. CERTIFICATION.**

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



**NOTE: ANY INDIVIDUAL WHO 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