

**FINANCIAL DISCLOSURE REPORT  
FOR CALENDAR YEAR 2005**

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

<b>1. Person Reporting (last name, first, middle initial)</b> Hartz, Harris L	<b>2. Court or Organization</b> Tenth Circuit Court of Appeals	<b>3. Date of Report</b> 05/04/2006
<b>4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)</b> Circuit Judge Active	<b>5a. Report Type (check appropriate type)</b> <input type="checkbox"/> Nomination,                      Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final <b>5b.</b> <input type="checkbox"/> Amended Report	<b>6. Reporting Period</b> 01/01/2005 to 12/31/2005
<b>7. Chambers or Office Address</b> 201 Third St. NW, #1870 Albuquerque, NM 87102	<b>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.</b>  Reviewing Officer _____ Date _____	
<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. Sign on last page.</p>		

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

NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Trustee	Trust No. 1
2. Immediate Past Chair	ABA Appellate Judges Conference
3. Chair	Appellate Judges Education Institute
4.	
5.	

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 FINANCIAL DISCLOSURE OFFICE

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

NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	My judicial pension from the State of New Mexico has vested and will be distributed when I am age-eligible
2.	
3.	

**FINANCIAL DISCLOSURE REPORT**

Page 2 of 10

Name of Person Reporting

Hartz, Harris L

Date of Report

05/04/2006

**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> <i>(yours, not spouse's)</i>
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.	ABA	2/12-13, Salt Lake City, UT, Appellate Judges Conference ( meals and room)
2.	ABA	8/5-7, Chicago, IL., Appellate Judges Conference ( meals and room)
3.		
4.		
5.		

**FINANCIAL DISCLOSURE REPORT**  
Page 3 of 10

Name of Person Reporting Hartz, Harris L	Date of Report 05/04/2006
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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.		

**FINANCIAL DISCLOSURE REPORT**  
Page 4 of 10

Name of Person Reporting  
**Hartz, Harris L**

Date of Report  
05/04/2006

**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. Trust 1	D	Div. And int	O	T					
2. --BRKA									
3. --OIB									
4. --NUV									
5. --PNW									
6. --SPI									
7. --SO									
8. --COP									
9. --ATF									
10. --MIRKQ									
11. --Farmington NM Pwr Rev, due 1/13, muni bd					redemption	7/1	J	A	
12. --Unit IMIT Muni Ins. Long Term 86 QPS, bond fund									
13. --Unit IMIT Muni Ins. Long Term 40 QPS, bond fund					redemption	1/10	J	A	
14. --Unit IMIT Muni Ins. Long Term 39 QPS, muni bd fund									
15. --TWCUX									
16. --LCEIX (formerly FIIX)									
17. --JANSX									

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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# FINANCIAL DISCLOSURE REPORT

Page 5 of 10

Name of Person Reporting

Hartz, Harris L

Date of Report

05/04/2006

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18. --NGUAX									
19. --NPRTX									
20. --AMOAX									
21. --GLBAX									
22. --TGRAX									
23. --USGAX									
24. --DINAX									
25. --San Juan County, NM, real estate									
26. Parcel 1 Unimproved real estate in San Juan County, NM	B	Rent	M	W					
27. EUGBX	A	Dividend	J	T					
28. GLBAX	A	Dividend	K	T					
29. UTLAX	B	Dividend	K	T					
30. BRKB		None	L	T					
31. -- "					Partial buy	5/10	J		
32. -- "					Partial buy	9/14	J		
33. -- "					Partial buy	12/28	J		
34. OIA	A	Dividend	J	T					

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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	P4 = More than \$50,000,000
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	

**FINANCIAL DISCLOSURE REPORT**

Name of Person Reporting <b>Hartz, Harris L</b>	Date of Report 05/04/2006
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35. Tech. Commercialization Int'l, cmn		None	J	W					
36. Wells Fargo Bank Account	B	Interest	M	T					
37. State of Israel Bonds	A	Interest	J	T					
38. US Savings Bonds	B	Interest	K	T					
39. Tennis Club of Albuquerque debenture	A	Interest	J	T					
40. Promissory Note--Kozimor Trust	C	Interest	K	T					
41. 403B account	A	Dividend	J	T					
42. --PGRWX									
43. State Retirement Account	C	Interest	L	T					
44. Individual Retirement Annuity	D	Dividend	N	T					
45. --ING Fixed Account									
46. --ING Balanced VP									
47. IRA Account	D	Dividend	M	T					
48. --SPIBX					sold	5/19	J	A	
49. --Gov't Nat'l Mtge Ass'n Pool									
50. --DIVDX					partial sale	5/19	J	A	
51. --EUGBX					sold	5/19	J	A	

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**FINANCIAL DISCLOSURE REPORT**  
Page 7 of 10

Name of Person Reporting  
**Hartz, Harris L**

Date of Report  
**05/04/2006**

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52. --MSDW Liquid Asset Fd, mutual fd.									
53. --US Treasury Bonds									
54. --AMODX					partial sale	5/19	J	B	
55. --GLBAX									
56. --MSACX					Buy	5/20	J		
57. --MSSGX					Buy	5/20	J		
58. --MPEGX					Buy	5/20	J		
59. --MPSCX					Buy	5/20	J		
60. --MDFDX					Buy	5/20	J		
61. MS Spectrum Select					Partial buy	5/23	J		
62. "					Partial buy	9/7	J		
63. MS Spectrum Tech					Partial buy	5/23	J		
64. "					Partial buy	9/7	J		
65. MS Spectrum Currency					Partial buy	5/23	J		
66. "					Partial buy	9/7	J		
67. Annuity	A	Dividend	J	T					
68. --ING VP Inter Bond Portfolio									

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**FINANCIAL DISCLOSURE REPORT**  
Page 8 of 10

Name of Person Reporting <b>Hartz, Harris L</b>	Date of Report 05/04/2006
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69. Allstate Life Ins. Co. annuity	A	Interest	K	T					
70. CM Life Ins. Policy	B	Interest	L	T					
71. MONY Life Ins. Policy	A	Interest	K	T					
72. Security Connecticut Life Ins. Policy #1	A	Interest	K	T					
73. Security Connecticut Life Ins. Policy #2	A	Interest	K	T					
74. TETX	D	Dividend	M	T					
75. EVGFX		None	J	T					
76. OPPAX	B	Dividend	K	T					
77. SCINX	A	Dividend	K	T					
78. MSDW Active Assets Money Trust, mutual fd	A	Dividend	J	T					
79. AMOBX		None	J	T					
80. DIVAX	D	Dividend	K	T					

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**FINANCIAL DISCLOSURE REPORT**

Page 9 of 10

Name of Person Reporting	Date of Report
Hartz, Harris L	05/04/2006

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

1. Lines 20-24, 28-29, 80. On 4/25, there was a class exchange from class B to class A for these 8 mutual funds
2. Lines 50, 54. On 5/19 there was a class exzchange from class B to class D for these 2 mutual funds.

**FINANCIAL DISCLOSURE REPORT**

Page 10 of 10

Name of Person Reporting	Date of Report
Hartz, Harris L	05/04/2006

**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

5/4/06

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