AO-10 (WP)
Rev. 1/2004

# FINANCIAL DISCLOSURE REPORT
## FOR CALENDAR YEAR 2004

*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)<br>Paul V. Niemeyer | 2. Court or Organization<br>United States Court of Appeals for the Fourth Circuit | 3. Date of Report<br>5/13/05 |
| 4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br>Active U.S. Circuit Judge | 5. Report Type (check appropriate type)<br>___ Nomination, Date ______<br>___ Initial  _X_ Annual  ___ Final | 6. Reporting Period<br>1/1/04 - 12/31/04 |
| 7. Chambers or Office Address<br>910 United States Courthouse, 101 West Lombard Street, Baltimore, Maryland 21201 | 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.<br>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 | Partner with LA. Noonberg | Ownership of Vacation home for personal use |
| 2 | Visiting instructor - Fall semester | Duke University, Durham, North Carolina |
| 3 | | |

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

☐ NONE (No reportable agreements.)

| | DATE | PARTIES AND TERMS |
|---|---|---|
| 1 | See Part VIII. | |
| 2 | | |

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## 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.)

| | DATE | SOURCE AND TYPE | GROSS INCOME |
|---|---|---|---|
| 1 | Entire year | LexisNexis Matthew Bender, Albany, New York | $ 2,529 |
| 2 | Fall | Duke University, Durham, North Carolina | $ 4,265 |
| 3 | | | $ |

### B. Spouse's Non-Investment Income - If you were married during any portion of the reporting year, please complete this section. (dollar amount not required except for honoraria)

☐ NONE (No reportable non-investment income.)

| | DATE | SOURCE AND TYPE |
|---|---|---|
| 1 | Entire year | Gazelle, Ltd., Baltimore, Maryland |
| 2 | | |

| FINANCIAL DISCLOSURE REPORT | Name of Person Reporting: Paul V. Niemeyer | Date of Report: 5/13/05 |
|---|---|---|

## IV. REIMBURSEMENTS – transportation, lodging, food, entertainment

*(Includes those to spouse and dependent children. See pp. 25-27 of Instructions.)*

☐ NONE (No such reportable reimbursements.)

| | SOURCE | DESCRIPTION |
|---|---|---|
| 1 | Property Casualty Insurance Joint Industry Forum | Paid for travel and food for panel presentation in New York City – January 13 |
| 2 | Cornell University Law School | Paid for travel, lodging, and food for moot court – March 6-7 |
| 3 | University of Virginia La School | Paid for travel, lodging, and food for delivery of lecture – March 23-24 |
| 4 | Duke University Law School | Paid for travel, lodging, and food for activities in connection with course taught in appellate advocacy – August 31-September 1 |
| 5 | Yal University Law School | Paid for travel, lodging, and food for moot court – December 13-14 |
| 6 | | |
| 7 | | |

## V. GIFTS. *(Includes those to spouse and dependent children. See pp. 28-31 of Instructions.)*

☒ NONE (No such reportable gifts.)

| | SOURCE | DESCRIPTION | VALUE |
|---|---|---|---|
| 1 | | | $ |
| 2 | | | $ |
| 3 | | | $ |
| 4 | | | $ |

## VI. LIABILITIES. *(Includes those of spouse and dependent children. See pp. 32-33 of Instructions.)*

☒ NONE (No reportabl liabilities.)

| | CREDITOR | DESCRIPTION | VALUE CODE* |
|---|---|---|---|
| 1 | | | |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |

*Value Codes: J=$15,000 or less K=$15,001-$50,000 L=$50,001-$100,000 M=$100,001-$250,000 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 P3=25,000,001-50,000,000 P4=50,000,001 or more

| FINANCIAL DISCLOSURE REPORT | Name of Person Reporting<br>Paul V. Niemeyer | Date of Report<br>5/13/05 |
|---|---|---|

## VII. Page 1 INVESTMENTS and TRUSTS -- income, value, transactions *(Includes those of spouse and dependent children. See pp. 34-57 of Instructions.)*

| A. Description of Assets (including trust assets) | B. Income during reporting period | | C. Gross value at end of reporting period | | D. Transactions during reporting period | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | If not exempt from disclosure | | | |
| *Place "(X)" after each asset exempt from prior disclosure.* | (1) Amt. Code 1 (A-H) | (2) Type (e.g., div., rent or int.) | (1) Value Code2 (J-P) | (2) Value Method Code3 (Q-W) | (1) Type (e.g., buy, sell, merger, redemption) | (2) Date Month-Day | (3) Value Code2 (J-P) | (4) Gain Code 1 (A-H) | (5) Identity of buyer/seller (if private transaction) |
| ☐ **NONE** (No reportable income, | | | | | | | | | |
| 1 LexisNexis Matthew Bender | C | royalties | | | | | | | |
| 2 Keogh Account - Bank of Oklahoma | G | int. & div. | P1 | T | partial redempt. | Jan. | K | | |
| 3 T. Rowe rice Prime Reserve | A | int. | J | T | (See Comment | 1, | Part VIII) | | |
| 4 Ray Road Assoc. (Tax shelter) | C | rental inc. | * | | (See Comment | 2, | Part VIII) | | |
| 5 P&M Investors 1986 (Tax shelter) | D | rental inc. | * | | (See Comment | 2, | Part VIII) | | |
| 6 P&M Investors 1984 (Tax shelter) | A | rental inc. | * | | (See Comment | 2, | Part VIII) | | |
| 7 Meridian Healthcare Ltd. Partnership | B | int. | K | T | | | | | |
| 8 Merck Corp. Stock [redacted] | A | div. | J | T | | | | | |
| 9 T. Rowe Price Spectrum Growth (PVN and [redacted] - IRA) | A | div. | K | T | | | | | |
| 10 Timken Co. Stock | A | div. | J | T | | | | | |
| 11 Northwestern Mut. "Inforce CompLife" 875' | C | div. | K | T | | | | | |
| 12 Northwestern Mut. "Inforce CompLife" 939' | C | div. | K | T | | | | | |
| 13 Mass. Mut. whole life insurance policy | A | div. | J | T | | | | | |
| 14 | | | | | | | | | |
| 15 | | | | | | | | | |
| 16 | | | | | | | | | |

| | | | | | |
|---|---|---|---|---|---|
| 1 Income/Gain Codes: (See Col. B1, 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: (See Col. C1, 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: (See Col. 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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|---|---|---|

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

| | |
|---|---|
| II, 1. Piper Rudnick Profit Sharing and 401(k) Savings Plan, Bank of Oklahoma, Tulsa, Oklahoma | Retirement account remains in fund of Piper Rudnick (former law firm) managed by Bank of Oklahoma. I have no decision-making authority in investments. |
| II, 2. 1984, now with LexisNexis Matthew Bender Albany, New York | Royalty agreement with co-authors Linda M. Schuett, John Lynch, Richard Bourne on sale of book. |
| II, 3. Duke University, Durham, North Carolina | Retained to teach appellate advocacy course for honorarium. |
| VII, 3. | This account is used as a holding/checking account. |
| VII, 4-6. | These tax shelters are believed to have economic value, but their value cannot be known until the properties are sold. |

## 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.

again: [redacted] 6/6/05

Signature [redacted] Date 5/13/05

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