

# FINANCIAL DISCLOSURE REPORT

## FOR CALENDAR YEAR 2004

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

<p>1. Person Reporting (Last name, First name, Middle initial) Arcara, Richard J</p>	<p>2. Court or Organization U.S. District Court W.D.N.Y.</p>	<p>3. Date of Report 05/04/2005</p>
<p>4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) Chief U.S. District Jdgc</p>	<p>5. ReportType (check appropriate type) <input type="radio"/> Nomination,      Date <input type="radio"/> Initial      <input checked="" type="radio"/> Annual      <input type="radio"/> Final</p>	<p>6. Reporting Period 01/01/2004 to 12/31/2004</p>
<p>7. Chambers or Office Address 68 Court Street, Room 609 Buffalo, New York 14202</p>	<p>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 _____</p>	

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 filing instructions)

**NONE** - (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1.

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

**NONE** - (No reportable agreements.)

DATE

PARTIES AND TERMS

1.

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FINANCIAL  
DISCLOSURE  
OFFICE

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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.)DATESOURCE AND TYPEGROSS INCOME

(yours, not spouse's)

1.

**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.)DATESOURCE AND TYPE

1.

2004

AAA Western and Central New York Board Member

**IV. REIMBURSEMENTS** - transportation, lodging, food, entertainment.

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

 **NONE** - (No such reportable reimbursements.)SOURCEDESCRIPTION

1.

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**V. GIFTS.** (Includes those to spouse and dependent children. See pp. 28-31 of instructions.) **NONE** - (No such reportable gifts.)

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.		

**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. United Mileage Plus Visa	Credit Card	J

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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.)

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)
<input type="checkbox"/> <b>NONE</b> (No reportable income, assets, or transactions)									
1. I. Leg Mason SEP									
2. Prudential Int'l Value CIA	A	Dividend			sold	10/18	K		
3. Goldman Sachs CLC		None	J	T					
4. Idex Ser. Fund JCC		None	J	T					
5. Legg Mason Equity-Opp	A	Dividend	K	T					
6. Aim Basic Value Fd C		None	J	T					
7. Aim Premier Equity Fund		None	J	T					
8. Legg Mason Equity-Sp.	A	Dividend	J	T					
9. Royce Fund - PA	A	Dividend	K	T					
10. Legg Mason Equity Value	A	Dividend	K	T					
11. Davis NY Venture Fund	A	Dividend	J	T					
12. Dryden High Yield Fund	A	Dividend			sold	10/13	K	C	
13. Eaton Vance High Income	A	Dividend	J	T					
14. Idex Ser. Fund-Salomon		None	J	T					
15. Prudential Jennison Growth		None	K	T					
16. Nuveon	A	Dividend	J	T					
17. Euror Pacific Growth CIA	A	Dividend	J	T	buy	10/21	J		
18. Goldman Sachs HY CIA	C	Dividend	K	T	buy	10/18	K		

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 = \$250,000-\$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 = More than \$50,000,000

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

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19. Templeton Growth CLA	A	Dividend	J	T	buy	10/21	J		
20. II Legg Mason IRA									
21. Alliance Premier CLA		None	J	T					
22. Lord Abbott CLA	A	Dividend	J	T					
23. Aim Premier Equity Fund		None	J	T					
24. New Perspective Fund CLA	A	Dividend	J	T					
25. Royce Funds Micro Cap	A	Dividend			sold	10/26	J		
26. Legg Mason Opportunity Trust	A	Dividend	J	T					
27. Fidelity Advisor	A	Dividend	J	T					
28. Royce Fund -PA	A	Dividend	J	T	buy	10/26	J		
29. Royce Fund - Total Return	A	Dividend	J	T	buy	10/26	J		
30. III Legg Mason									
31. Franklin Resources	A	Dividend	J	T					
32. Sector Sp Dr.	A	Dividend	J	T					
33. Boeing	A	Dividend	J	T					
34. Cisco Systems	A	Dividend	J	T					
35. AOL Time Warner		None	J	T					
36. EI DuPont	A	Dividend	J	T					

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37. Guidant Corp.	A	Dividend	J	T					
38. Home Depot	A	Dividend	J	T					
39. KeyCorp New	A	Dividend	K	T					
40. Lucent Technologies		None	J	T					
41. Nokia Corp.	A	Dividend	J	T					
42. Legg Mason Cash Reserve	A	Dividend	J	T					
43. Liberty Media Corp.		None	J	T					
44. Sun Microsystems		None	J	T					
45. Eastman Kodak	A	Dividend	J	T					
46. RMK High Income	B	Dividend	J	T					
47. Liberty Media Intl Inc.		None			buy	7/29	J		
48. Liberty Media Intl Inc.		None			sold	8/2	J	A	
49. IV. Keybank (less than \$200)									

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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. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature

Date

May 5, 2005

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