

**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 name, Middle initial) Berman, Richard M	2. Court or Organization U.S. District Court -S.D.N.Y.	3. Date of Report 6/10/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) U. S. District Judge - Active	5. ReportType (check appropriate type) <input type="radio"/> Nomination,      Date <input type="radio"/> Initial <input checked="" type="radio"/> Annual <input type="radio"/> Final	6. Reporting Period 1/1/2004 to 12/31/2004
7. Chambers or Office Address U.S. District Court 40 Centre Street New York, NY 10007	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 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. \_\_\_\_\_

\_\_\_\_\_

**RECEIVED**  
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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. \_\_\_\_\_

**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. Federal Bar Council

Winter Bench &amp; Bar Conference, Feb 14 to 21; Manzanillo, Mexico (Travel, Food and Lodging)

**FINANCIAL DISCLOSURE REPORT**

Name of Person Reporting <b>Berman, Richard M</b>	Date of Report <b>6/10/2005</b>
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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. Citicorp	Mortgage on house Litchfield County, CT	J

# FINANCIAL DISCLOSURE REPORT

Page 1 of 4

Name of Person Reporting  
Berman, Richard M

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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"/> NONE (No reportable income, assets, or transactions)									
1. Rental Property, Litchfield Cnty, CT	A	Rent	O	W	Rental				
2. Rental Property Suffolk County, NY (House & Cottage)	A	Rent	N	W	Rental				
3. Rental Property, Suffolk County, NY	D	Rent	K	W	Rental				
4. Limited Partnership #1, Aztex (real-estate)	A	Distribution	J	W					
5. Limited Partnership #2, 119 Development (real-estate)		None	J	W					
6. Limited Partnership #3, Laurel (real estate)		None	J	W					
7. Limited Partnership #4, Franklin (real estate)	A	Distribution	J	W					
8. Janus Fund (deferred compensation)		None	J	T					
9. T.Rowe Price Equity Income (deferred compensation)	A	Dividend	K	T					
10. Vanguard Windsor	B	Dividend	M	T					See Note #1
11. Vanguard 500 Index Trust	B	Dividend	L	T					See Note #1
12. Vanguard Strategic Equity	B	Dividend	M	T					See Note #1
13. Vanguard Windsor II	A	Dividend	L	T					See Note #1
14. U.S. Treasury Notes	E	Interest	P1	T	Partial Sale	12/02	O		
15. NYC Tigers Municipal Bond (Water	A	Interest	J	T	Sale	06/01	J	A	
6. U.S. Treasury Notes	E	Interest	P1	T	Partial Sale	12/30	N		
7. NYC GO Municipal Bond	A	Interest	K	W					
8. NYC Municipal Bond (Water)	A	Interest	K	T	Sale	08/01	K	A	

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		

# FINANCIAL DISCLOSURE REPORT

Page 2 of 4

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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)
19. John Nuveen Municipal Bond Fund (Select)	B	Distribution	K	T					
20. Blackrock Municipal Bond Fund	B	Distribution	M	T	Buy	04/05	M		
21. Muniyield Municipal Bond Fund	B	Dividend	K	T					
22. NYC Metropoliat Municipal Bond (Series D)	C	Interest	L	T					
23. Comcast A Common Stock (A & K)	A	Dividend	N	T	Buy	12/18	L		See Note #2
24. Time Warner Common Stock(AOL)	A	Dividend	L	T	Buy	01/26	L		
25. AT&T	A	Dividend	K	T	Partial Sale	12/27	K		
26. Cablevision Systems Common Stock		None	M	T					
27. GE Common Stock	A	Dividend	J	T					
28. Liberty Media Common Stock		None	N	T					See Note #3
29. Liberty Media International A		None	L	T	Spinoff	06/14	J		See Note #3
30. Lucent Technologies Common Stock					Sale	12/15	J	A	
31. Microsoft Common Stock	A	Dividend	K	T	Buy	12/15	K		
32. Wesco Common Stock					Sale	12/15	J		
33. American Express Common Stock					Sale	12/15	K	D	
34. AT&T Exchange Common Stock (EIF)					Sale	12/15	K	E	
35. Ebay Inc. Common Stock		None	N	T					
36. Verizon	A	Dividend	J	T					

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37. Exxon (Mobile)	A	Dividend	J	T					
38. CMA Tax Exempt Fund					Sale	10/27	N	A	
39. Merrill Lynch Fund	A	Dividend	J	T	Sale	12/09	J	A	
40. John Nuveen Common Stock Fund (Class A)	C	Dividend	M	T					
41. Scarsdale, NY Municipal Bond	A	Interest	K	W					
42. Westchester, NY Municipal Bond (Westchester County)	C	Interest	L	W	Partial Sale	11/15	K	A	
43. Rye City, NY Municipal Bond	B	Interest	L	W					
44. MAC Municipal Bond	C	Interest	L	W	Partial Sale	12/15	K	A	
45. NYCS Dorm Auth	C	Interest	L	W					See Note #4
46. NYS Mort Agency	C	Interest	M	W					See Note #5
47. NYC (NHA) Municipal Bond (Port Authority of NY and NJ)		None	L	W					
48. NYS Power Authority	C	Interest	L	W	Partial Sale	01/02	J	A	
49. AT&T Wireless					Sale	10/27	J	A	
50. Farmers Bank - CD	B	Interest	L	T	Buy	10/12	L		
51. GMAC Automotive Bk -CD	B	Interest	L	T	Buy	10/12	L		
52. Providian Nat'l Bk - CD	B	Interest	L	T	Buy	10/12	L		
53. Agere System B	A	Dividend	J	T	Sale	12/15	J	A	
54. NYS Env Fac Corp St Clean Wtr & Drkg Wtr Rev 3.9%	D	Interest	M	T	Buy	07/22	M		

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55. NYS Env Fac Corp St Clean Wtr & Drkg Wtr Rev 3.75%	B	Interest	K	T	Buy	08/11	K		
56. NY GO	B	Interest	K	T					
57. Schwab MM/NY Muni Fund	D	Interest	K	T	Buy	10/28	O		
58. Schwab Value Advantage Fund	A	Interest	K	T	Buy	10/28	K		
59. Chesapeake Core Growth	A	Dividend	K	T	Buy	12/27	K		
60. Cohen & Steers Realty Fund	A	Dividend	J	T	Buy	12/23	J		
61. Icon Energy Fund	A	Dividend	J	T	Buy	12/15	J		
62. Icon Healthcare Fund	A	Dividend	J	T	Buy	12/22	J		
63. New Perspective Fund	A	Dividend	K	T	Buy	12/15	K		
64. Oakmark Fund	A	Dividend	J	T	Buy	12/17	J		
65. TCW Galileo Value Oppty	A	Dividend	J	T	Buy	12/22	J		

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**VIII. ADDITIONAL INFORMATION OR EXPLANATIONS**

(Indicate part of Report.)

- #1. Vanguard holdings (4) are broken out individually. They were combined at lines 15 and 16 of 2003 form.
- #2. Includes 2 classes of common stock (A & K)
- #3. Liberty Media International A was acquired as a spinoff from Liberty Media Common Stock in June, 2004.
- #4. NYS Dorm Agency Bond was grouped with Mort Authority Bond at line 56 of 2003 form.
- #5. NYS Mort Agency Bond was grouped with Dorm Authority Bond at line 56 of 2003 form.



**FINANCIAL DISCLOSURE REPORT**

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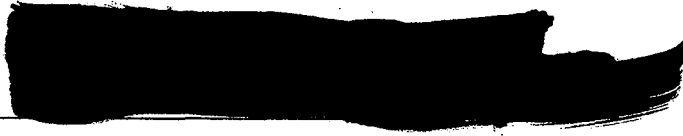
6/10/2005

**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

June 10, 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