

COPY

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2009

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

AO 10 Rev. 1/2010

Form with fields: 1. Person Reporting (MCAVOY, THOMAS J.), 2. Court or Organization (U.S. DISTRICT COURT - NDNY), 3. Date of Report (04/26/2010), 4. Title (SENIOR US DISTRICT COURT JUDGE), 5a. Report Type (Annual checked), 6. Reporting Period (01/01/2009 to 12/31/2009), 7. Chambers or Office Address (FEDERAL BUILDING 15 HENRY STREET BINGHAMTON, NEW YORK 13902), 8. On the basis of the information contained in this Report...

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.)

Table with 2 columns: POSITION, NAME OF ORGANIZATION/ENTITY. Row 1: Member Board of Trustees Emeritus - see VIII, Albany Law School.

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

NONE (No reportable agreements.)

Table with 2 columns: DATE, PARTIES AND TERMS. Row 1: 03/06/86, County of Broome-vested retirement health insurance benefit.

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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> <i>(yours, not spouse's)</i>
1. 12/31/2009	Transamerica Life - annuity policy	\$9889.32
2. 12/31/2009	NYS & Local Employees Retirement System - Pension	\$1068.48
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.	Citizens Bank	rental property - Conklin, NY	M
2.	Cit Mortgage	rental property- Sanibel Island, FL	L
3.	SunTrust Mortgage, Inc.	rental property - Ft. Myers, FL	L
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. Oppenheimer Equity Income Fund A	C	Div	M	T					
2. Oppenheimer Special Fund A	A	Div	J	T					
3. Edward Jones (see comment section)	D	Dividend	J	T					
4. Ft. Myers, Fl - Condo	D	Rent	L	W					
5. Conklin, NY - apartment buildings -	E	Rent	M	W					
6. Binghamton, NY single family home	D	Rent	L	W					
7. Conklin, NY undeveloped lot		None	K	W					
8. Sanibel, Florida condominium	D	Rent	N	W					
9. Transamerica Life - annuity policy	D	Distribution	J	T					
10. Endicott, NY - 2family	D	Rent	L	W					
11. Kirkwood, NY - single family home		None	L	W					
12. National financial Services LLC	F	Interest	L	T					
13. Long Island Power Auth NY Electric System Gen Ser B Revinue	A	Dividend	K	T					
14. Lord Abbett Affiliated FD CL A CUSIP	C	Dividend	J	T					
15.									
16.									
17.									

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 I12 = 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 = Cost (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.)*

Positions: No reportable assets associated with my position as Member of the Board of Trustees of Albany Law School.  
All individual assets that are part of the Edward Jones brokerage account which are subject to disclosure have been listed.  
All individual assets that are part of the National Financial Services LLC account which are subject to disclosure have been listed.

Assets formerly combined and listed in line #21 now appear on line #14 because assets reported as sold in calendar year 2008 have been removed and investments and trusts are now renumbered.

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MCAVOY, THOMAS J.

Date of Report

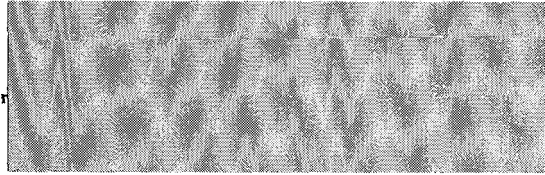
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**IX. CERTIFICATION.**

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. 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