

**FINANCIAL DISCLOSURE REPORT  
FOR CALENDAR YEAR 2012**

<b>1. Person Reporting (last name, first, middle initial)</b>  Pooler, Rosemary S.	<b>2. Court or Organization</b>  Second Circuit Court of Appeal	<b>3. Date of Report</b>  05/15/2013
<b>4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)</b>  active	<b>5a. Report Type (check appropriate type)</b> <input type="checkbox"/> Nomination <input type="checkbox"/> Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final <hr/> <b>5b.</b> <input type="checkbox"/> Amended Report	<b>6. Reporting Period</b>  01/01/2012 to 12/31/2012
<b>7. Chambers or Office Address</b>  P.O. Box 7395 100 So. Clinton Street Syracuse, NY 13261-7395		

**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.*

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

NONE *(No reportable positions.)*

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1.	
2.	
3.	
4.	
5.	

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

NONE *(No reportable agreements.)*

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1. 2012	Member - New York State Employees Retirement System
2.	
3.	

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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. 2012	NYS Employees Retirement System - pension	\$34,320.00
2.		
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.			
2.			
3.			
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)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-H)	Type (e.g., div., rent, or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)
1. Onondaga County, Syracuse, NY Property #1	C	Rent	L	W					
2. Onondaga County, Syracuse, NY Property #2	B	Rent	L	W					
3. Onondaga County, Syracuse, NY Property #3	C	Rent	L	W					
4. Onondaga County, Syracuse, NY Property #4	B	Rent	L	W					
5. Onondaga County, Syracuse, NY Property #5	B	Rent	L	W					
6. TIAA/CRFF Retirement *	A	Interest	P1	T					
7. T. Rowe Price-Mid-cap Growth Fund	F	Dividend	M	T					
8. T. Rowe Price-NY Tax Free Fund	B	Int./Div.	L	T					
9. TIAA Money Market Fund	B	Interest	J	T					
10. Charles Schwab									
11. - Encana Corp.	A	Dividend			Sold	01/30/12	J	A	
12. - Exxon Mobil Corp	D	Dividend	K	T					
13. - Microsoft Corp.	A	Dividend	J	T					
14. First Niagara FNCL GP	A	Dividend	J	T	Buy (add'l)	01/30/12	J		
15. - Newmont Mining Corp	A	Dividend	J	T					
16. - Norfolk Southern Corp.	B	Dividend	J	T					
17. Green Mountain Coffee	C	Dividend			Sold (part)	02/02/12	J	D	

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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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)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-H)	Type (e.g., div., rent, or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)
18.					Sold	05/30/12	J	C	
19. Yamana Gold Inc.	B	Dividend	J	T					
20. Cenovus Energy Inc.	C	Dividend	J	T					
21. Qualcomm Inc	B	Dividend	J	T					
22. Sandridge Miss Trust II	A	Dividend	J	T	Buy	05/30/12	J		
23. Sandridge Permian Tr	A	Dividend	J	T	Buy	01/31/12	J		
24. Walt Disney Co.	A	Dividend	J	T	Buy	05/30/12	J		
25.									
26.									
27.									

- 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
- F =\$50,001 - \$100,000                      G =\$100,001 - \$1,000,000                      H =\$1,000,001 - \$5,000,000                      I =\$5,000,001 - \$10,000,000                      J =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                      N =\$250,001 - \$500,000                      O =\$500,001 - \$1,000,000                      P =\$1,000,001 - \$5,000,000                      Q =\$5,000,001 - \$25,000,000                      R =More than \$50,000,000
- P3 =\$25,000,001 - \$50,000,000                      S =Assessment                      T =Cash Market
- 3. Value Method Codes                      Q =Appraisal                      R =Cost (Real Estate Only)                      S =Assessment                      T =Cash Market
- (Sec Column C2)                      U =Book Value                      V =Other                      W =Estimated

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

\* 6. TIAA/CRFF Retirement - Collected twelve monthly distributions for a total of \$64, 741 for 2012.

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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: **s/ Rosemary S. Pooler**

**NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)**

Committee on Financial Disclosure  
Administrative Office of the United States Courts  
Suite 2-301  
One Columbus Circle, N.E.  
Washington, D.C. 20544