

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
500 PEARL STREET
NEW YORK, NEW YORK 10007-1312

RICHARD J. HOLWELL
UNITED STATES DISTRICT JUDGE

August 24, 2006

Mr. Ortrie D. Smith, Chair
Judicial Conference of the United States
Committee on Financial Disclosure
One Columbus Circle, N.E.
Washington, D.C. 20544

Re Calendar Year 2005 Filing

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FINANCIAL
DISCLOSURE OFFICE

Dear Mr. Smith:

Please accept this letter as a supplement to my Form A-10 for 2005. The supplemental information is provided in response to your letter dated July 27, 2006 and refers to the specific questions raised therein.

1. Part VII, page 4, lines 9 and 17, for "Matrix Advisors Value" and "Ameristock (X)". Please be advised that Column B(1) for both entries should read "NONE."
2. Part VII, lines 33-43, referring to Attachment VIII-A. This attachment which was inadvertently omitted from my original filing is enclosed. In addition, please be advised that Column B(1) for lines 33 to 42 should read "NONE," provided that I correctly interpreting your July 27 letter. It is true that, as your letter states, I am "unaware of income information" for the funds identified on lines 33 to 42. I am obviously aware, nonetheless, that some income was likely earned even if I do not know the specific amounts. Therefore, the answer "NONE" is somewhat inaccurate.

3. Attachment VII, page 1, lines 2 and 18, Absence of reference to “JP Morgan/Chase” and “Schwab Money Mkt Fund” identified in 2004 Report and page 2, lines 30 and 34. The identification of, and income information for these accounts was inadvertently omitted. Please be advised that the accounts are still in existence and that Column B(1) for each entry should be “A,” and that Column B(2) for each entry should be “Interest.”

Please let me know if you would like any further information.

Sincerely yours,



Richard J. Holwell

Enclosure

**FORM A0-10
ATTACHMENT VIII-A**

Item 35. White & Case Retirement Income Plan (“RIP”). The White & Case RIP is a defined benefit pension originally adopted in 1985 and is limited to certain partners and employees of the Firm. The RIP provides upon retirement an annual benefit, which is a percentage of the total compensation earned by a participant during membership in the plan. The contributions to RIP are actuarially determined and are paid by the Firm to a trust fund. I am fully vested in the plan. Participants have no control over the trust fund’s investments. My annual accrued benefit, payable at age 60 (in 2006) is \$53,238. I do not realize income prior to 2006.

Items 36-43. White & Case 401(K) Plan. The plan administrator, CitiStreet Retirement Plan, does not provide plan participants with periodic income information on either an aggregate or per-fund basis. The only information provided is the change in valuation over time. This information is provided below:

FUND	VALUATION 01/01/05	VALUATION 12/31/05
TCW Galileo Sel	\$284,580	\$294,216
Turner Mid Cap Growth	157,726	176,707
Axiom Int’l Inv.	600,972	779,113
Royce Lo Pr Stk	250,503	274,706
Davis NY VentureA	463,345	512,842
SSGA Passive	302,866	309,291

Items 32-34. Fidelity Annuity. Fidelity does not provide any periodic income information on either an aggregate or per-fund basis. The only information provided is periodic valuation. The 1/1/05 valuations of the Fidelity Annuity Contrafund and Fidelity Annuity Adv. Gr. Opp. 1 were \$69,609 and \$98,269, respectively; the 12/31/05 valuations were \$80,749 and \$106,153, respectively.

**FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2005**

1. Person Reporting (last name, first, middle initial) Holwell, Richard J	2. Court or Organization USDC/SDNY	3. Date of Report 05/26/2006
4. Title (Article III judges indicate a ctive or senior status; magistrate judges indicate full- or part-time) U.S. District Judge - Active	5a. Report Type (check appropriate type) <input type="checkbox"/> Nomination, Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final 5b. <input type="checkbox"/> Amended Report	6. Reporting Period 01/01/2005 to 12/31/2005
7. Chambers or Office Address 500 Pearl St. Chambers 1950 New York, New York 10007-1312	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 align="center">IMPORTANT NOTES: <i>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></p>		

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

NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Partner	Van Duyn Associates (SEE SECTION VIII, Paragraph 1)
2.	
3.	
4.	
5.	

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

NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	PLEASE SEE SECTION VIII, Paragraph 2.
2.	
3.	

FINANCIAL DISCLOSURE REPORT

Page 2 of 8

Name of Person Reporting

Holwell, Richard J

Date of Report

05/26/2006

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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> <i>(yours, not spouse's)</i>
1. 2005	White & Case LLP (post-retirement payments fixed at time of retirement on November 1, 2003).	\$ 316,180
2.		
3.		
4.		
5.		

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. 2005	Self-employed architect
2.	
3.	
4.	
5.	

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

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

NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>
1.	
2.	
3.	
4.	
5.	

FINANCIAL DISCLOSURE REPORT

Page 3 of 8

Name of Person Reporting

Holwell, Richard J

Date of Report

05/26/2006

V. GIFTS. *(Includes those to spouse and dependent children. See pp. 28-31 of 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. 32-34 of instructions.)*

NONE *(No reportable liabilities.)*

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.			
2.			
3.			
4.			
5.			

FINANCIAL DISCLOSURE REPORT

Page 4 of 8

Name of Person Reporting

Holwell, Richard J

Date of Report

05/26/2006

VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, 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)
1. Van Duyn Assoc., NY, NY	D	Rent	PI	W					
2. Bell South	A	Dividend	J	T					
3. Brokerage Account #1									
4. - Fidelity S&P 500	B	Dividend	M	T					
5. - Fidelity Contrafund	C	Dividend	M	T					
6. - Fidelity Lo Pr Stk	E	Dividend	N	T					
7. - Fidelity Div. Growth	A	Dividend	L	T					
8. - Brazas Micro Cap	A	Dividend	L	T					
9. - Matrix Advisors Value					Sell	9/29	K		
10. - PIMCO Comm. Real Estate	E	Dividend	M	T					
11. - First Eagle Overseas A	D	Dividend	M	T					
12. - Vanguard Ltd Tm T/E (X)	B	Dividend			Sell	3/22	N		
13. - Vanguard Int Tm T/E	D	Dividend	M	T					
14. IRA #1									
15. - ML Pacific Fund	B	Dividend	K	T					
16. - PIMCO Total Return D	C	Dividend	M	T					
17. - Ameristock (X)					Sell	2/10	L		

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 H2 = More than \$5,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

Holwell, Richard J

Date of Report

05/26/2006

VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, 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)
18. - Brandywine	C	Dividend	M	T					
19. - Ariel Appreciation (X)	D	Dividend	M	T	Sell in part	11/18	L	D	
20. - PIMCO Conun. Real	E	Dividend	M	T	Buy	11/22	K		
21. - PIMCO Total Ret	D	Dividend	M	T					
22. - First Eagle Overseas	D	Dividend	L	T					
23. Am. Beacon Lg CVL	B	Dividend	K	T	Buy	3/11	K		
24. Dodge & Cox Int'l Stk	A	Dividend	K	T	Buy	11/22	K		
25. RS Global Net Res	C	Dividend	L	T	Buy	3/11	K		
26. IRA #2									
27. - Ameristock (X)	A	Dividend	J	T	Sell	2/10	J	B	
28. - First Eagle Overseas A	C	Dividend	K	T					
29. American Beacon Lg C VI	A	Dividend	J	T	Buy	3/11	J		
30. IRA #3									
31. - Fidelity Blue Chip	A	Dividend	J	T					
32. Fidelity Annuity									
33. - Fidelity Contrafund			L	T					(See Attachment VIII-A)
34. - Fidelity Adv. Gr. Opp. 1 (formerly Fidelity Growth Opps.)			L	T					(See Attachment VIII-A)

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 H2 = More than \$5,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000	L = \$50,001 - \$100,000 M = \$100,001 - \$250,000	P2 = \$5,000,001 - \$25,000,000
3. Value Method Codes (See Column C2)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

FINANCIAL DISCLOSURE REPORT

Page 6 of 8

Name of Person Reporting

Holwell, Richard J

Date of Report

05/26/2006

VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, 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)
35. White & Case RIP Pension									(See Attachment VIII-A)
36. White & Case 401(K)									(See Attachment VIII-A)
37. - TCW Galileo Sel			N	T					(See Attachment VIII-A)
38. - Turner Midcap Gr.			M	T					(See Attachment VIII-A)
39. - Axiom Int'l Inv.			O	T					(See Attachment VIII-A)
40. - SSGA Passive			N	T					(See Attachment VIII-A)
41. - Royce Lo Pr Stk			N	T					(See Attachment VIII-A)
42. - Davis NY Venture			N	T					(See Attachment VIII-A)
43. - SSGA Bond Mkt (X)*									

*This fund was erroneously identified in my A0-10 report for 2004. It is in fact the same fund identified in Item No. 40 (SSGA Passive).

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 H2 = More than \$5,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

Name of Person Reporting	Date of Report
Holwell, Richard J	05/26/2006

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

1. Regarding Section I:

Partner, Van Duyn Associates. Van Duyn Associates is a general partnership formed under New York law pursuant to a restated and amended agreement dated December 21, 1979. I am owned with [REDACTED] a 50% interest in the partnership which owns the building in which we reside.

2. Regarding Section II:

White & Case Savings and Investment Plan ("SIP"). White & Case is my former law firm. The White & Case SIP was originally established in 1983. It is a qualified 401(K) plan. Subject to certain qualifications, all employees can participate in the plan and may remain in the plan after retirement. Participants are able to select their investments from among a limited list of mutual funds only.

White & Case Retirement Income Plan ("RIP"). White Case is my former law firm. The White & Case RIP is a defined benefit pension originally adopted in 1985 and is limited to certain partners and employees of the Firm. The RIP provides upon retirement an annual benefit which is a percentage of the total compensation earned by a participant during membership in the plan. The contributions to RIP are actuarially determined and are paid by the Firm to a trust fund. I am fully vested in the plan. Participants have no control over the trust fund's investment.

White & Case Partnership Agreement. White & Case is my former law firm. The amended and restated partnership agreement dated August 1, 2000 governs the operation of the Firm. The equity partners of the Firm are parties to the agreement. Upon ceasing to be an equity partner, such partner's capital account is fixed and distributed in monthly payments over a term of six years.

3. Regarding Section VII

PLEASE SEE ATTACHMENT VIII-A.

FINANCIAL DISCLOSURE REPORT

Page 8 of 8

Name of Person Reporting

Holwell, Richard J

Date of Report

05/26/2006

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



Date

5/25/06

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