

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 14, 2009

Judge Bobby R. Baldock, Chair
Judicial Conference of the United States
Committee on Financial Disclosure
One Columbus Circle, N.E.
Washington, D.C. 20544

Dear Judge Baldock:

This letter supplements my Financial Disclosure Report for 2008 dated June 12, 2009.

Part VII, page 6, line 36 is amended to read "Cash-Schwab Money Market Fund."

Part VII, page 5, line 31, columns D(1), (2) and (3) is amended to read "Buy; 10/14; M." In addition, column B of line 31 is amended to read "A."

With regard to Part VII, page 5, lines 38 and 39 for Fidelity Contrafund and Fidelity Adv. Gr. Opp., please see Attachment VIII-A of the Report.


Richard J. Holwell

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Holwell, Richard J

**FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2008**

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

1. Person Reporting (last name, first, middle initial) Holwell, Richard J.	2. Court or Organization USDC/SDNY	3. Date of Report 06/12/2009
4. Title (Article III judges indicate active 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 01/01/2008 to 12/31/2008
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 _____	
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>		

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. 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 filing instructions.)

NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1. 08/01/2000	PLEASE SEE SECTION VIII, Paragraph 2.
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. 2008	White & Case LLP (post-retirement payments fixed at time of retirement on November 1, 2003).	\$316,180
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. 2008	Self-employed architect
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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Name of Person Reporting

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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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Name of Person Reporting

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Date of Report

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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 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	E	Rent	P1	W					
2. Bell South	A	Dividend	J	T					
3. Brokerage Account #1									
4. - Fidelity S&P 500	C	Dividend	L	T					
5. - Fidelity Contrafund	A	Dividend	M	T					
6. - Fidelity Lo Pr Stk	B	Dividend	N	T					
7. - Brazos Micro Cap		None			Sold	3/11	L	A	
8. - First Eagle Overseas A	A	Dividend	M	T					
9. - Nuveen NY Mun. Bd. A	F	Interest			Sold	12/2	N	A	
10. - US Global Inv Global	A	Dividend	K	T					
11. - Eaton Vance		None			Sold	10/17	K	A	
12. - Schwab M. Mkt. Fund	A	Interest	K	T					
13. - CGM Focus	A	Dividend	K	T	Buy	5/6	K		
14. - UltShort S&P 500	A	Dividend	K	T	Buy	10/28	K		
15. - NY City Mun Wtr Fin, 6/15/31	D	Interest	N	T	Buy	12/5	N		
16. - NY Cit Mun Wtr Fin, 6/15/24		None	M	T	Buy	12/2	L		
17. - NYS Dorm Revs St Supp, 2/15/16		None	M	T	Buy	12/9	M		

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 P3 = \$25,000,001 - \$50,000,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

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Name of Person Reporting Holwell, Richard J.	Date of Report 06/12/2009
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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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. IRA #1									
19. - ML Pacific Fund	A	Dividend	L	T					
20. - PIMCO Total Return D	D	Dividend	M	T					
21. - Brandywine		None	L	T					
22. - PIMCO Comm. Real	A	Dividend	J	T					
23. - PIMCO Total Ret. Inst	D	Dividend	M	T					
24. - First Eagle Overseas	A	Dividend	L	T					
25. - Am. Beacon Lg CVL		None			Sold	7/16	K	A	
26. - Dodge & Cox Int'l Stk	B	Dividend	K	T					
27. - RS Global Net Res	A	Dividend	K	T					
28. - Managers Bond	D	Dividend			Sold	10/31	M	A	
29. - US Global Inv. Global	A	Dividend	K	T					
30. Ultra Short S&P 500	C	Dividend	K	T	Buy	10/31	K		
31. Schwab Money Market Fund			M	T					
32. IRA #2									
33. - First Eagle Overseas A	B	Dividend	K	T					
34. -American Beacon Lg C V1		None			Sold	7/17	K	A	

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

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Name of Person Reporting	Date of Report
Holwell, Richard J.	06/12/2009

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				
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35. - MetroWest Total Ret	A	Dividend	J	T					
36. - Cash		None	K	T					
37. Fidelity Annuity									(See Section VIII, Par. 3)
38. - Fidelity Contrafund			L	T					"
39. - Fidelity Adv. Gr. Opp. 1 (formerly Fidelity Growth Opps.)			L	T					"
40. White & Case RIP Pension	F	Dividend	L	W					(See Section VIII, Par. 3)
41. White & Case 401(K)									(See Section VIII, Par. 3)
42. - Turner Midcap Gr.			M	T					"
43. - Axiom Int'l Inv.			O	T					"
44. - SSGA Passive			K	T					"
45. - Davis NY Venture			N	T					"
46. - Boston Co Small Cap Value					Sold	2/4	N		"
47. - PIMCO Total Ret.			N	T					"
48. - Columbia Val & R			L	T					"
49. - Royce Low Price			L	T	Buy	5/21	L		"
50. - Vanguard Infl-Prot			L	T	Buy	5/5	L		"
51. - SPDR			K	T		4/16	K		"

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 P3 = \$25,000,001 - \$50,000,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

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NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets) Place "(X)" aft 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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)	er
52. - Schwab Money Market Fund			L	T	Buy	2/4	N		"	

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

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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 [REDACTED] own with [REDACTED] a 60% 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, Item Nos. 37-39, 40, 41-52.

SEE ATTACHMENT VIII-A

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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



6/16/09

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

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

Items 37-39 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 1/1/08 valuations of the Fidelity Annuity Contrafund and Fidelity Annuity Adv. Gr. Opp. 1 were \$135,695 and \$104,387, respectively; the 12/31/08 valuations were \$77,537 and \$81,516, respectively.

Item 40 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 is \$53,238.

Items 41-52 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 01/01/08	VALUATION 12/31/08
Turner Mid Cap Growth	234,685	120,538
Axiom Int'l Inv.	1,222,105	635,908
SSGA Emerging	49,308	21,535
Davis NY Venture Y	621,580	373,889
Boston Co. Small Cap Value	307,548	-0-
Pimco Total Ret	349,470	366,056
Columbia Val & R	201,966	96,127
Royce Low Price	-0-	58,100
SPDR	-0-	49,560
Money Market	-0-	99,520