AO 10 Rev. 1/2012

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

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)	2. Court or Organization	3. Date of Report
Livingston, Debra A.	U.S. Court of Appeals for the Second Circuit	9/20/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)	**5a. Report Type (check appropriate type)**	**6. Reporting Period**
United States Circuit Judge. Active status.	☐ Nomination Date ☐ Initial ☑ Annual ☐ Final 5b. ☑ Amended Report	01/01/2011 to 12/31/2011

7. Chambers or Office Address

United States Courthouse
500 Pearl Street
New York, New York 10007

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. Insert signature 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.	Paul J. Kellner Professor of Law	Columbia Law School
2.		
3.		
4.		
5.		

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

☐ NONE *(No reportable agreements.)*

DATE	PARTIES AND TERMS
1. 2/1999	Wolters-Kluwer Law & Business|Aspen Publishers. Royalty payments on sales of co-authored case book, Comprehensive Criminal Procedure
2. 1992	See Part VIII. Additional Information.
3. 2007	See Part VIII. Additional Information.
4.	

Name of Person Reporting	Date of Report
Livingston, Debra A.	9/20/2012

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.)*

DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1. 3.31.11	Wolters-Kluwer Law & Business|Aspen Publishers (royalties)	$8,662.97
2. 10.17.11	"	$152.86
3. 2011	Columbia Law School	$26,995.00
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.)*

DATE	SOURCE AND TYPE
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.)*

	SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1.	Univ. of Virginia Law School Federalist Society	2/25-2/27/11	Charlottesville, VA	speech to law student organization	travel and lodging
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.)*

	SOURCE	DESCRIPTION	VALUE
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.)*

	CREDITOR	DESCRIPTION	VALUE CODE
1.			
2.			
3.			
4.			
5.			

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Livingston, Debra A.	9/20/2012

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 (1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (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.	Citibank, NY, NY Checking and Savings	A	Interest	L	T					
2.	CREF Stock Fund		None	K	T					
3.	Fidelity Contrafund	A	Dividend	L	T					
4.	Fidelity Convertible Security	B	Dividend	K	T					
5.	Fidelity Growth Co	B	Dividend	L	T					
6.	Fidelity Equity Income II	A	Dividend	J	T					
7.	Fidelity Magellan	A	Dividend	K	T					
8.	TIAA Real Estate	B	Dividend	M	T					
9.	TIAA Traditional Annuity	C	Interest	L	T					
10.	U.S. Savings Bonds		None	J	T					
11.	Vanguard 078 Asset Allocation	A	Dividend	K	T					
12.	Vanguard 081 International Growth	B	Dividend	L	T					
13.	Vanguard 122 Life Growth Portfolio	B	Dividend	L	T					
14.	Vanguard 163 NY Tax Exempt	A	Interest	K	T					
15.	Vanguard 526 Morgan Growth Admiral	B	Dividend	N	T					
16.	Vanguard 548 Small Cap Admiral	B	Dividend	M	T	Buy (add'l)	12/22/11	J		
17.	Vanguard 593 Growth & Income Admiral	C	Dividend	M	T	Buy (add'l)	06/29/11	J		

1. Income Gain Codes (See Columns B1 and D4)	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	H1 =$1,000,001 - $5,000,000	H2 =More than $5,000,000	
2. Value Codes (See Columns C1 and D3)	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	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 (See Column C2)	Q =Appraisal	R =Cost (Real Estate Only)	S =Assessment	T =Cash Market	
	U =Book Value	V =Other	W =Estimated		

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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.)*

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A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period (1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (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)
18.					Buy (add'l)	12/27/11	J		
19. Vanguarad College Mod Age-Based Conservative	D	Dividend	L	T					
20. Vanguard Hi-Yield Corporate	B	Dividend	K	T					
21. Vanguard Index 500	C	Dividend	M	T					
22. Vanguard Inflation-Protected Securities	B	Dividend	K	T					
23. Vanguard REIT Index Fund	B	Dividend	K	T					
24. Vanguard Wellington Fund	C	Dividend	M	T					
25. VDAIX Vanguard Div Apprec Idx X	A	Dividend	K	T					
26. VEIPX Vanguard Equity Inc Fund X	A	Dividend	K	T					
27. VFIIX Vanguard GNMA Fund Investor Shares X	A	Dividend	K	T					
28. VWEHX Vanguard High-Yield Corp Fund X	A	Dividend	K	T					
29. VWALX Vanguard High-Yield Tax Exempt Adm X	A	Dividend	L	T					
30. VFICX Vanguard I-T Investment Grade Inv X	A	Dividend	K	T					
31. VWIUX Vanguard Inter-Term Tax-Exempt Adm X	A	Dividend	M	T					
32. VWESX Vanguard Long-Term Inv-Gr Inv X	A	Dividend	K	T					
33. VWLUX Vanguard Long-Term Tax Exempt Adm X	A	Dividend	K	T					
34. VNJXX Vanguard NJ Tax-Exempt Money Mkt X	A	Dividend	M	T					

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	
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35. VGSLX Vanguard REIT Index Fund Adm X	A	Dividend	J	T					
36. VBTLX Vanguard Total Bond Mkt Index Adm X	A	Dividend	L	T					
37. VDC Vanguard Consumer Staples ETF X	A	Dividend	J	T					
38. VDE Vanguard Energy ETF X	A	Dividend	L	T					
39. VHT Vanguard Health Care ETF X	A	Dividend	K	T					
40. VOX Vanguard Telecom Services ETF X	A	Dividend	K	T					
41. NLY Annaly Capital Management Inc X		None	J	T					
42. AAPL Apple Inc. X		None	J	T					
43. T AT&T Inc. X		None	J	T					
44. BIDU Baidu Inc Sponsored ADR X		None	J	T					
45. CTL Centurylink Inc. X	A	Dividend	K	T					
46. CIM Chimera Investment Corp X		None	J	T					
47. CLX Clorox Co X		None	J	T					
48. ED Consolidated Edison X	A	Dividend	J	T					
49. DEO Diageo PLC New Sponsored ADR X		None	K	T					
50. DD DuPont EI de Nemours & Co X	A	Dividend	K	T					
51. EOG EOG Resources Inc X		None	J	T					

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52. GOOG Google Inc X		None	J	T					
53. HNZ Heinz HJ Co X		None	J	T					
54. IP International Paper Co X	A	Dividend	J	T					
55. MAC Macerich Co X	A	Dividend	J	T					
56. MCD McDonalds Corp X	A	Dividend	J	T					
57. PCL Plum Creek timber Co Inc X		None	J	T					
58. RAI Reynolds American Inc X		None	K	T					
59. RIO Rio Tinto PLC Spnsr ADR X		None	K	T					
60. RDS/A Royal Dutch Shell PLC Sponsr ADR X	A	Dividend	K	T					
61. VZ Verizon Communications Inc X		None	K	T					
62. WM Waste management Inc Del X	A	Dividend	J	T					
63. WIN Windstream Corp X		None	K	T					
64. APU Amerigas Partners LP X		None	J	T					
65. BWP Boardwalk Pipeline Partners LP X		None	J	T					
66. BPL Buckeye Partners LP Unit Prtnrship Int X		None	J	T					
67. KMP Kinder Morgan Energy Prtnrs LP Unit LP Int X		None	J	T					
68. LINE Linn Energy LLC Unit Lim Liab Int X		None	J	T					

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69. OKS Oneok Partners LP Unit Ltd Prtnrshp X		None	J	T					
70. PAA Plains All American Pipeline LP X		None	J	T					
71. Interest in condominium Tinton Falls NJ X		None	N	W					

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

Part II. Agreements.
2007. Pursuant to my teaching agreement with Columbia University, I am eligible to rent University housing at the prevailing market rate, and my child is eligible for reduced tuition at Columbia University and its affiliated schools. Neither of these results in taxable income. In addition, I continue to have retirement accounts maintained through Columbia University, the individual holdings of which are listed under Part VII, Investments and Trusts.

1992. As a result of my employment with the University of Michgan Law School from 1992-1994, I continue to have a retirement account established through the University of Michigan, the holdings of which are listed under Part VII. Investments and Trusts. Contributions are of course no longer made to those retirement accounts.

Part VII. Investments and Trusts.
Item 2, CREF Stock Fund does not report income as having been credited to my account, but instead reports a unit value. Accordingly, no income is reported for this asset.

Items 25-71 in Part VII represent the assets [redacted] who died in the fourth quarter of 2011. [redacted] are partial beneficiaries under [redacted] will. No distribution of assets from the estate took place in 2011.

Name of Person Reporting	Date of Report
Livingston, Debra A.	9/20/2012

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/ Debra A. Livingston**

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