

FINANCIAL DISCLOSURE REPORT  
FOR CALENDAR YEAR 2004

1. Person Reporting (Last name, First name, Middle initial) Merryday, Steven D	2. Court or Organization Middle District of Florida	3. Date of Report 5/10/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge (Active)	5. ReportType (check appropriate type) <input type="radio"/> Nomination,      Date <input type="radio"/> Initial <input checked="" type="radio"/> Annual <input type="radio"/> Final	6. Reporting Period 1/1/2004 to 12/31/2004
7. Chambers or Office Address 801 North Florida Avenue Tampa, FL 33602	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 _____	

COPY

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.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. \_\_\_\_\_

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

**NONE** - (No reportable agreements.)

DATE

PARTIES AND TERMS

1. \_\_\_\_\_

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**FINANCIAL DISCLOSURE REPORT**

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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.)DATESOURCE AND TYPEGROSS INCOME  
(yours, not spouse's)1.  
\_\_\_\_\_  
\_\_\_\_\_**B. Spouse's Non-Investment Income** - (If you were married during any portion of the reporting year, please complete this section. Dollar amount not required except for honoraria.) **NONE** - (No reportable non-investment income.)DATESOURCE AND TYPE1.  
\_\_\_\_\_  
\_\_\_\_\_**IV. REIMBURSEMENTS** -- transportation, lodging, food, entertainment.

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

 **NONE** - (No such reportable reimbursements.)SOURCEDESCRIPTION1.  
\_\_\_\_\_  
\_\_\_\_\_

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**V. GIFTS.** (Includes those to spouse and dependent children. See pp. 28-31 of instructions.) **NONE** - (No such reportable gifts.)

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.		

**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.		

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## VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 of filing instructions.)

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)
<input type="checkbox"/> <b>NONE</b> (No reportable income, assets, or transactions)									
1. IRA (CAPIT. SEC. OF AMER.) (1) (Details Follow)	E	Dividend	O	T					
2. JUNIPER (JNPR)	A	Dividend			BUY	1/02	K		
3.					SELL	1/23	J	C	
4.					SELL	1/29	J	B	
5.					SELL	2/23	J	A	
6.					SELL	3/22	K	B	
7. AMEX FINANCIAL (XLF)	A	Dividend			SELL	3/18	K	C	
8. MORGAN STANLEY (MWD)	A	Dividend			SELL	1/22	K	C	
9. ACCENTURE ( CN)	A	Dividend			SELL	1/13	K	A	
10. GENENTECH (DNA)	A	Dividend			SELL	3/10	K	D	
11. AMERICAN EXPRESS (AXP)	A	Dividend			SELL	4/15	K	B	
12. FINANCIAL (XLF)	A	Dividend			SELL	3/18	K	A	
13. GENERAL ELECTRIC (GE)	A	Dividend			BUY	1/26	K		
14.					SELL	3/08	K	A	
15. PROFUNDS (USPIX)	A	Dividend			BUY	3/08	K		
16.					SELL	3/25	K	A	
17. J.P. MORGAN (JPM)	A	Dividend			BUY	1/06	K		
18.					SELL	4/02	K	C	

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
(See Columns B1 and D4)	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:	J = \$15,000 or less	K = \$15,001-\$50,000	L = \$50,001-\$100,000	M = \$100,001-\$250,000	
(See Columns C1 and D3)	N = \$250,000-\$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	Q = Appraisal	R = Cost (Real Estate Only)	S = Assessment	T = Cash/Market	
(See Column C2)	U = Book Value	V = Other	W = Estimated		

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19. iSHARES (IWM)	A	Dividend			BUY	6/07	K		
20.					SELL	7/06	K	A	
21. LEAMAN BROS. (LEH)	A	Dividend			BUY	6/07	K		
22.					SELL	6/15	K	A	
23. NASDAQ 100 (QQQ)	A	Dividend			BUY	5/25	K		
24.					SELL	6/21	K	A	
25. SPDR TR. (SPY)	A	Dividend			BUY	5/25	K		
26.					SELL	7/06	K	A	
27. SEMICON. HOLDERS (SMH)	A	Dividend			BUY	8/06	K		
28.					SELL	8/09	K	A	
29. BEAR STEARNS (BSC)	A	Dividend			BUY	9/02	K		
30.					SELL	9/30	K	B	
31. JOHNSON & JOHNSON (JNJ)	A	Dividend			BUY	4/15	K		
32.					SELL	9/30	K	B	
33. CHICAGO MERC. (CME)	A	Dividend			BUY	9/13	K		
34.					SELL	10/13	K	C	
35. iSHARES (IJR)	A	Dividend	J	T	BUY	10/06	J		
36. SEMICON. HOLDERS (SMH)	A	Dividend			BUY	10/21	K		

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37.	A	Dividend			BUY	10/27	K		
38.					SELL	11/03	L	B	
39. TEXAS INSTR. (TXN)	A	Dividend			BUY	11/17	K		
40.					SELL	11/30	K	A	
41. NOKIA (NOK)	A	Dividend			BUY	1/08	K		
42.					SELL	3/22	K	A	
43. GOLDMAN SACHS (FSMXX)	C	Dividend			BUY	3/31	N		
44.					SELL	12/15	M	A	
45. APPLE COMP. (AAPL)	A	Dividend	K	T	BUY	12/30	K		
46. SPDR TR. (SPY)	A	Dividend	L	T	BUY	12/1	L		
47. UNITED TECH. (UTX)	A	Dividend	K	T	BUY	12/02	K		
48. GOOGLE (GOOG)	A	Dividend	K	T	BUY	12/14	K		
49. CITIGROUP ( C )	A	Dividend	K	T	BUY	12/22	K		
50. DELL (DELL)	A	Dividend	K	T	BUY	11/15	K		
51. iSHARES (IJR)	A	Dividend	K	T	BUY	11/04	K		
52. TAMPA RENTAL PROPERTY (2)		None	M	S					
53. WACHOVIA (MMARKET ACC'TS)	B	Interest	M	T					

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## VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

(1) Same IRA as in earlier years; custodian transferred assets from Wachovia to Capital Securities.

(2) Assessed value is \$162,609. Market value is somewhat more. In years prior to 1996, this real estate was not held for rental; it is my former home on a lake front. I have owned it since 1982. I rented it for the first time in 1996 and ceased renting in August, 1997; hence its appearance on the form. The property is unrented and for sale.

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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. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature



Date

May 11<sup>th</sup>, 2005

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



**United States District Court**

**MIDDLE DISTRICT OF FLORIDA  
UNITED STATES COURTHOUSE  
801 NORTH FLORIDA AVENUE, SUITE 1530  
TAMPA, FLORIDA 33602-3800**

**STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE**

**(813) 301-5001**

August 19, 2005

Honorable Mary M. Lisi, Chair  
Judicial Conference of the United States  
Committee on Financial Disclosure  
One Columbus Circle, N.E.  
Washington, D.C. 20544

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Dear Judge Lisi:

Your July 28 letter correctly directs my attention to Part VII, lines 7 and 12, of my 2004 financial disclosure report, which appears to report two distinct transactions on the same day, March 18<sup>th</sup>, each involving an investment reported with slightly different names ("Amex Financial" and "Financial") but the same symbol ("XLF").

Simply stated, line 7 was intended to replace line 12 but line 12 was apparently not deleted from my draft, which I failed to notice. Line 7 contains the correct "gain code" and the more complete name ("XLF" is an investment in the financial sector and is sometimes called the "Financial Select Sector SPDR," but always employs the symbol "XLF"). Line 12 should be deleted as surplusage.

I understand and intend that this letter will amend the 2004 report to delete line 12.

Very truly yours,

  
Steven D. Merryday  
United States District Judge

SDM:bk