

FINANCIAL DISCLOSURE REPORT

Calendar Year 2003

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

| | | |
|---|---|---|
| 1. Person Reporting (Last name, First name, Middle initial) Pooler, Rosemary S | 2. Court or Organization Second Circuit Court of Appeals | 3. Date of Report 5/14/2004 |
| 4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) Active | 5. Report Type (check appropriate type) <input type="radio"/> Non-Initial Date <input type="radio"/> Initial <input checked="" type="radio"/> Annual <input type="radio"/> Final | 6. Reporting Period 1/1/2003 to 12/31/2003 |
| 7. Chambers or Office Address P.O. Box 7395 100 South Clinton Street Syracuse, NY 13261-7395 | 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: 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.

Member-New York State Employees Retirement System

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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>GROSS INCOME</u> (yours, not spouse's) |
|----|-------------|---|--|
| 1. | 2003 | NYS Employees Retirement System - pension | |
| 2. | 2003 | New York University Law School - teaching | 600.00 |

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.)

| | <u>DATE</u> | <u>SOURCE AND TYPE</u> |
|----|-------------|------------------------|
| 1. | 2003 | [REDACTED] salary |

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

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

 NONE - (No such reportable reimbursements.)

| | <u>SOURCE</u> | <u>DESCRIPTION</u> |
|----|---|---|
| 1. | George Mason Law School | March 10-16, 2003, LaJolla, CA, education program (transportation, meals & lodging) |
| 2. | New York University, Institute of Judicial Administration | July 13-14, 2003, New York, NY, teacher for educational seminar (transportation, meals & lodging) |

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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"/> NONE (No reportable income, assets, or transactions) | | | | | | | | | |
| 1. [REDACTED] Partnership | A | Dividend | J | T | | | | | |
| 2. Onondaga County, Syracuse, NY Property #1 | A | Rent | L | W | | | | | |
| 3. Onondaga County, Syracuse, NY Property #2 | B | Rent | L | W | | | | | |
| 4. Onondaga County, Syracuse, NY Property #3 | B | Rent | L | W | | | | | |
| 5. Onondaga County, Syracuse, NY Property #4 | B | Rent | L | W | | | | | |
| 6. Onondaga County, Syracuse, NY Property #5 | C | Rent | L | W | | | | | |
| 7. IRA [REDACTED] | A | Dividend | J | T | | | | | |
| 8. TIAA/CRFF Retirement | A | Interest | O | T | | | | | |
| 9. [REDACTED] | A | Dividend | L | T | | | | | |
| 10. [REDACTED] | B | Dividend | L | T | | | | | |
| 11. [REDACTED] | A | Interest | J | T | | | | | |
| 12. [REDACTED] | | | | | sold | 12-23 | L | A | |
| 13. [REDACTED] | | | | | sold | 12-24 | J | A | |
| 14. [REDACTED] (X) | | | | | sold | 12-24 | J | A | |
| 15. [REDACTED] (X) | | | | | sold | 12-24 | J | A | |

| | | | | | |
|-------------------------|--------------------------------|-----------------------------|-------------------------------|-------------------------------|-----------------------|
| 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 | H = \$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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VII. ADDITIONAL INFORMATION OR EXPLANATIONS (Indicate part of Report.)

VII. Investments and Trusts, Nos. 14 and 15 In previous years these two accounts fell within the exclusion of having a value of less than \$1,000 and thus were not reported. But in an overabundance of caution I included them because they were sold in the year 2003.

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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 15, 2004

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