AO-10
Rev. 1/2004

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2004

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) SMITH, D. Brooks	2. Court or Organization 3rd Circuit	3. Date of Report 5/9/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) Judge Active	5. Report Type (check appropriate type) ○ Nomination, Date ○ Initial ◉ Annual ○ Final	6. Reporting Period 1/1/2004 to 12/31/2004
7. Chambers or Office Address US Court of Appeals, Ste 203 1798 Old Route 220 N Duncansville, PA 16635	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.	Trustee	Saint Francis University, Loretto, PA
2.		

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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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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	GROSS INCOME (yours, not spouse's)
1.	2004	Reliance Bank - Vice President, Commercial Lending - Salary [redacted]	
2.			
3.			

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.)

	DATE	SOURCE AND TYPE
1.		

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

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

☐ NONE - (No such reportable reimbursements.)

	SOURCE	DESCRIPTION
1.	Notre Dame Law School	2/11-2/13/04 South Bend, Indiana - moot court competition [travel, hotel & food]
2.	Temple Law School-Federalist Society	4/20/04 Philadelphia, PA - speech [hotel & food]
3.	Univ. Pittsburgh Law School-Dept of State	5/15-5/23/04 Kyiv, Ukraine-seminar & presentation [travel, hotel & food]
4.	Univ. Pittsburgh Law School-Dept of State & Dept of Justice (OPDAT)	10/1-10/9/04 Pristina/Kosovo - Skopje/Macedonia-seminar & presentation [travel, hotel & food]
5.	Univ. Pittsburgh Law School-Dept of State	10-27-10/28/04 Pittsburgh, PA-Instruction & presentation w/ Kosovo visitors [travel, hotel & food]
6.	Duquesne School of Law	11/11-11/12/04 Federalism in the Americas presentation [travel, hotel & food]

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

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

☐ NONE - (No such reportable reimbursements.)

	SOURCE	DESCRIPTION
7.	USAID-East West Management	12/5-12/13/04 Tirana, Albania-seminar & presentations [travel, hotel & food]

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

☑ NONE - (No such reportable gifts.)

	SOURCE	DESCRIPTION	VALUE
1.			
2.			

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-34 of instructions.)

☑ NONE - (No reportable liabilities.)

	CREDITOR	DESCRIPTION	VALUE CODE
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)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period	If not exempt from disclosure			
Place "(X)" after each asset exempt from prior disclosure	(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)	(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
☐ NONE (No reportable income, assets, or transactions)									
1. American Century Growth Fd	A	Dividend			Sell	8/16	J	A	
2. Euro Pac Growth Fd[redacted]1	A	Dividend	J	T					
3. FNB Corp.(common)[redacted](1)	A	Dividend	J	T					
4. FNB Corp.(common)[redacted]	A	Dividend	J	T					
5. First Nat'l Bk shares FL(common)[redacted]1,2	A	Dividend	J	T	Buy	1/1	J		
6. First Nat'l BK shares FL (common)[redacted]2	A	Dividend	J	T	Buy	1/1	J		
7. Fidelity Mid Cap Fd[redacted]1	A	Dividend	J	T					
8. Fidelity Equity Growth [redacted]1	A	Dividend	J	T					
9. Franklin Small Cap [redacted]1	A	Dividend	J	T					
10. Investment Co. of America [redacted]1	A	Dividend	J	T					
11. Master's Select Equity Fd [redacted]1	A	Dividend	J	T					
12. M&T Bank (common)[redacted]	C	Dividend	M	T					
13. M&T Bank 401(K)[redacted]	C	Dividend	M	T					
14. MTB Prime Money Mkt3	A	Interest	J	T					
15. MTB Managed Aggressive Growth3	A	Int/div	K	T					
16. Raymond James IRA4	B	Int/div	K	T					
17. Reliance Bank-Accoun[redacted]	A	Interest	J	T					
18. Reliance Bank-Account[redacted]	A	Interest	J	T					

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 the spouse and dependent children. See pp. 34-57 of filing instructions.)

	A. Description of Assets (including trust assets)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
							If not exempt from disclosure			
	Place "(X)" after each asset exempt from prior disclosure	(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)	(2) Date: Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
19.	Reliance Bank 401(K)[redacted]	A	Interest	K	T	Began partic	1/1			
20.	Northwestern Mutual Life Ins. (Universal Life policies)5	B	Dividend	M	T					
21.										
22.										
23.										

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	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 = $250,000-$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		
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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS (Indicate part of Report)

1 Held in [redacted] self-directed IRA with Ferris, Baker, Watts
2 Corporate spin-off from FNB Corp.
3 Held in self-directed IRA with M&T Investments
4 Custodian - SEI Trust Co. - Total assets now held in Heritage Cash Trust
5 Omitted by oversight in previous years' reports

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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 [redacted]

Date May 9, 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