

## FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2004

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

|   |  |  |
|---|--|--|
| <b>1. Person Reporting (Last name, First name, Middle initial)</b><br>Trager, David G   | <b>2. Court or Organization</b><br>Eastern District of New York  | <b>3. Date of Report</b><br>4/8/2005                           |
| <b>4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time)</b><br><br>Active: U.S. District Judge | <b>5. Report Type (check appropriate type)</b><br><br><input type="radio"/> Nomination,      Date<br><br><input type="radio"/> Initial <input checked="" type="radio"/> Annual <input type="radio"/> Final                       | <b>6. Reporting Period</b><br><br>1/1/2004<br>to<br>12/31/2004 |
| <b>7. Chambers or Office Address</b><br><br>225 Cadman Plaza East<br>Brooklyn, New York   | <b>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.</b><br><br>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.)

| <u>POSITION</u> | <u>NAME OF ORGANIZATION/ENTITY</u> |
|-----------------|------------------------------------|
| 1. Trustee      | Brooklyn Law School                |
| 2. Trustee      | Brooklyn Hospital Center           |

**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.          |                          |

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FINANCIAL DISCLOSURE OFFICE

**FINANCIAL DISCLOSURE REPORT**

|   |                            |
|---|----------------------------|
| Name of Person Reporting<br>Trager, David G | Date of Report<br>4/8/2005 |
|---|----------------------------|

**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><br>(yours, not spouse's) |
|----|-------------|--|--|
| 1. | 2004        | Brooklyn Law School - Adjunct Professor  | 23550.00                                     |
| 2. | 2004        | TIAA-CREF (Teachers Insurance Annuity Association/College Retirement Equity Fund) - Pension - Brooklyn Law School; supplemental retirement annuity | 36642.39                                     |

**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. | 2004        | NYS & Local Employees Retirement System |
| 2. | 2004        | Self-Employed, Consultant               |
| 3. | 2004        | IRA & Keogh distributions               |

**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. | Brooklyn Law School                 | Reimb.of registration, travel, food & lodging expenses to participate in annual meeting of American Law Institute, May 17-19, Washington, DC |
| 2. | Yale Law School                     | Reimb.of travel, food & lodging expenses to participate as a member of site-team inspection on behalf of ABA's Council (cont. in Part VIII)  |
| 3. | New York Council of Defense Lawyers | Reimb. of food & lodging expenses to attend Fall Bench and Bar Retreat. 11/6-7, Old Saybrook, CT.  |
| 4. |                                     |  |

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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. TIAA/CREF         | Loan               | K                 |
| 2. MBNA              | Credit Card        | L                 |
| 3. Benjamin J. Golub | Loan               | K                 |

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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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset exempt<br>from prior disclosure | B.<br>Income during<br>reporting period |   | C.<br>Gross value at end of<br>reporting period |   | D.<br>Transactions during reporting period                |                                |                                 |                                |   |
|---|---|---|---|---|---|--------------------------------|---------------------------------|--------------------------------|---|
|   | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.<br>div. rent. or<br>int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.<br>buy, sell,<br>merger,<br>redemption) | If not exempt from disclosure  |                                 |                                |   |
|   |   |   |   |   |   | (2)<br>Date:<br>Month -<br>Day | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| <input checked="" type="checkbox"/> NONE (No reportable income, assets, or transactions)                                    |   |   |   |   |   |                                |                                 |                                |   |
| 1. Pension Funds - TIAA/CREF - Retirement Annuity   | E                                       | Dividend                                    | O   | T   |   |                                |                                 |                                |   |
| 2. Salomon Smith Barney IRA & Keogh - Cash Equivalent   | A                                       | Interest                                    | J   | T   |   |                                |                                 |                                |   |
| 3. Yeshiva University Retirement Income Plan (Prudential)   |   | Dividend                                    | K   | T   |   |                                |                                 |                                |   |
| 4. U.S. Savings Bonds Series EE (face value)  | A                                       | Interest                                    | K   | T   |   |                                |                                 |                                |   |
| 5. Salomon Smith Barney - Cash Equivalent   | A                                       | Interest                                    | L   | T   |   |                                |                                 |                                |   |
| 5. Thrift Savings Plan  | A                                       | Dividend                                    | K   | T   |   |                                |                                 |                                |   |
| 7. Listed Securities (all common shares):   |   |   |   |   |   |                                |                                 |                                |   |
| 3. American International Group   | A                                       | Dividend                                    | K   | T   |   |                                |                                 |                                |   |
| 9. AT&T Wireless Services, Inc. (formerly AT&T)   |   | None  |   |   | Sale  | 5/3                            | J                               | A                              |   |
| 10. Bank of America (Formerly Nationsbank)  | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 11. Bank of New York  | A                                       | Dividend                                    | K   | T   |   |                                |                                 |                                |   |
| 12. H.J. Heinz  | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 13. International Paper Co.   | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 14. Ishares TR S&P 500 Imdx   | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 15. KeyCorp (formerly Society Corp.)  | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 16. Keyspan (formerly Brooklyn Union Gas)   | A                                       | Dividend                                    | J   | T   | Partial Sale  | 11/12                          | J                               | A                              |   |
| 17. Lucent Technologies   |   | None  | J   | T   |   |                                |                                 |                                |   |
| 18. Merck   | A                                       | Dividend                                    | K   | T   |   |                                |                                 |                                |   |

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

**FINANCIAL DISCLOSURE REPORT**

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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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset exempt<br>from prior disclosure |                                  | B.<br>Income during<br>reporting period |   | C.<br>Gross value at end of<br>reporting period |   | D.<br>Transactions during reporting period                |                                |                                 |                                |   |
|---|----------------------------------|---|---|---|---|---|--------------------------------|---------------------------------|--------------------------------|---|
|   |                                  | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.<br>div. rent. or<br>int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.<br>buy, sell,<br>merger,<br>redemption) | If not exempt from disclosure  |                                 |                                |   |
|   |                                  |   |   |   |   |   | (2)<br>Date:<br>Month -<br>Day | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 19.   | Microsoft                        | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 20.   | Motorola                         | A                                       | Dividend                                    |   |   | Sale  | 11/12                          | J                               | A                              |   |
| 21.   | Pepsico                          | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 22.   | Proctor & Gamble                 | A                                       | Dividend                                    | K   | T   |   |                                |                                 |                                |   |
| 23.   | Exxon                            | A                                       | Dividend                                    | J   | T   | Buy   | 1/04                           | J                               |                                |   |
| 24.   | Verizon (Formerly Bell Atlantic) | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 25.   | Lincoln National Corp.           | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 26.   | Nasdaq 100 Trust                 | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 27.   | Smith Barney S&P 500             | A                                       | Dividend                                    | J   | T   |   |                                |                                 |                                |   |
| 28.   | Amazon                           |   | None  | J   | T   | Sale  | 1/07                           | J                               | C                              |   |
| 29.   | Johnson & Johnson                | A                                       | Dividend                                    | J   | T   | Buy   | 1/07                           | J                               |                                |   |
| 30.   | National City Corp.              | A                                       | Dividend                                    | J   | T   | Buy   | 1/08                           | J                               |                                |   |
| 31.   | Electronic Data System           | A                                       | Dividend                                    | J   | T   | Buy   | 4/08                           | J                               | A                              |   |
| 32.   | Electronic Data System           | A                                       | Dividend                                    | J   | T   | Sale  | 10/07                          | J                               | A                              |   |
| 33.   | Agere System                     |   | None  | J   | T   | Sale  | 10/07                          | J                               | A                              |   |
| 34.   | Del Monte                        |   | None  | J   | T   | Sale  | 10/07                          | J                               | A                              |   |
| 35.   | Medco Health                     |   | None  | J   | T   | Sale  | 10/08                          | J                               | A                              |   |
| 36.   | Smucker                          |   | None  | J   | T   | Sale  | 10/08                          | J                               | A                              |   |

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|   | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.<br>div. rent. or<br>int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.<br>buy, sell,<br>merger,<br>redemption) | If not exempt from disclosure  |                                 |                                |   |
|   |   |   |   |   |   | (2)<br>Date:<br>Month -<br>Day | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 37. Schering-Plough   | A                                       | Dividend                                    | J   | T   | Sale  | 11/15                          | J                               | A                              |   |
| 38. Schick Technologies   |   | None  | J   | T   | Sale  | 11/12                          | J                               | A                              |   |

|  |   |  |   |  |                       |
|--|---|--|---|--|-----------------------|
| 1. Income/Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001-\$100,000                                     | B = \$1,001-\$2,500<br>G = \$100,001-\$1,000,000   | C = \$2,501-\$5,000<br>H1 = \$1,000,001-\$5,000,000                                     | D = \$5,001-\$15,000<br>H2 = More than \$5,000,000       | E = \$15,001-\$50,000 |
| 2. Value Codes:<br>(See Columns C1 and D3)       | J = \$15,000 or less<br>N = \$250,000-\$500,000<br>P3 = \$25,000,001-\$50,000,000 | K = \$15,001-\$50,000<br>O = \$500,001-\$1,000,000 | L = \$50,001-\$100,000<br>P1 = \$1,000,001-\$5,000,000<br>P4 = \$More than \$50,000,000 | M = \$100,001-\$250,000<br>P2 = \$5,000,001-\$25,000,000 |                       |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value   | R = Cost (Real Estate Only)<br>V = Other           | S = Assessment<br>W = Estimated   | T = Cash/Market  |                       |

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

1. [REDACTED] and I jointly own shares in a cooperative corporation in which we reside.
  2. [REDACTED] owns a cooperative apartment in which he resides. I am a registered co-owner with right of survivorship, but have no equitable interest in the apartment.
  3. Section VII, Line 6: The name of the mutual fund is "SB Concert Allocation Series Inc. High Growth Portfolio CL B."
  4. In Section VIII, assets on lines 6, 7, 9, 11, 15, 16, 19, 20, 21, 36, 38, 39, 42, 43, 46, 48, 53, 54, 55, 56 and 59 of last year's report are omitted as the owner is no longer a reportable person.
- PART IV; Line 2: Description re: Reimb.of travel, cntd ... on Legal Education, 2/29-3/3, New Haven, CT.

**FINANCIAL DISCLOSURE REPORT**

Name of Person Reporting

Trager, David G

Date of Report

4/8/2005

**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

4/8/2005

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