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Rev. 1/2008

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2008

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) Vitaliano, Eric N.	**2. Court or Organization** Eastern District of New York	**3. Date of Report** 05/13/2009
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge - Active	**5a. Report Type** (check appropriate type) ☐ Nomination, Date ☐ Initial ☑ Annual ☐ Final **5b.** ☐ Amended Report	**6. Reporting Period** 01/01/2008 to 12/31/2008
7. Chambers or Office Address United States Courthouse 225 Cadman Plaza East Brooklyn, NY 11201	**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. Director	Seaview Historic Foundation, Inc.
2.	
3.	
4.	
5.	

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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. 1983	New York State Employees Retirement System; pension as retired state employee.
2.	
3.	

Vitaliano_Eric_N

Name of Person Reporting	Date of Report
Vitaliano, Eric N.	05/13/2009

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. 2008	New York State Employees Retirement System--Pension	$42,687.00
2.		
3.		
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. 2008	Rivercrest Realty Associates - Salary
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. Federal Bar Council	01/27/08 to 02/03/08	Nevis, The West Indies	Mid-Winter Conference	Transportation, lodging and meals
2.				
3.				
4.				
5.				

Name of Person Reporting	Date of Report
Vitaliano, Eric N.	05/13/2009

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.			

Name of Person Reporting	Date of Report
Vitaliano, Eric N.	05/13/2009

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)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
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, 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)
1. New York Community Bank Accounts	A	Interest	J	T					
2. Citibank N.A. Accounts	A	Interest	J	T					
3. Lord Abbet Secs. Trust	B	Dividend	J	T					
4. Blackrock Global Allocation C	B	Dividend	J	T					
5. Prudential Financial common stock	A	Dividend	J	T					
6. Merrill Lynch Cash Management Account - NY Municipal Money	A	Interest	J	T					
7. U.S. Savings Bonds	B	Interest	J	T					
8. Penn Mutual Life Insurance	A	Interest			Closed	06/01	J		See note in Part VIII
9. Sun Life Insurance Annuity	A	Interest	J	T					
10. New York State Empolyees Retirement Sys tem account	C	Interest			Closed	04/01	L		See note in Part VIII
11. Fidelity Investments IRA- Spartan US EQ In dex	B	Dividend	K	T					
12. Prudential Financial Life Insurance	A	Dividend	J	T					
13. Columbia Marisco 21st Century Fund	A	Dividend	J	T					
14.									
15.									
16.									
17.									

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

1) All interest paid on the Penn Mutual Life Insurance policy reported on l. 8 of Part VII had been used to pay premiums on the policy. The policy was allowed to lapse in calendar 2008 when the interest income could no longer sustain the premium obligations. The date of the lapse is approximated.

2) In February 2008, I filed an application for fixed retirement benefits as a retired member of the New York State Employees Retirement System. The application was approved in the ordinary course and receipt of those benefits is reported in Parts II and III-A. Under New York law, any interest I had in contributions made to my retirement account reported on l. 10 of Part VII was extinguished when the retirement system authorized the payment of fixed retirement benefits. The date of the actual approval of the application by the retirement system is approximated.

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

Signature [redacted]

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